

Homestead-Miami Speedway, LLC

Villages of Homestead Development of Regional Impact  
**NOTIFICATION OF PROPOSED CHANGE**



Homestead, Florida  
March 2010



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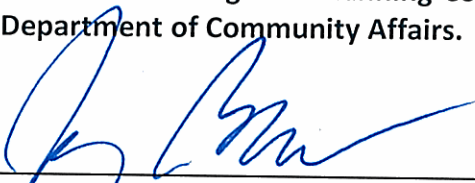
Exhibit A	Approved 1985 Master Plan
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STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF COMMUNITY PLANNING  
BUREAU OF LOCAL PLANNING  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399  
850/488-4925

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY  
APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI)  
SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, **Jeffrey Bercow**, the undersigned owner/authorized representative of **Homestead-Miami Speedway, LLC**, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the **Villages of Homestead Development of Regional Impact (DRI)** development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the **City of Homestead**, **South Florida Regional Planning Council**, and to the **Bureau of Local Planning, Florida Department of Community Affairs**.

  
Signature: **Jeffrey Bercow**

  
Date

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**2. Applicant (name, address, phone).**

Response:

Homestead-Miami Speedway, LLC  
One Speedway Boulevard  
Homestead, Florida 33035  
(305)230-5208

**3. Authorized Agent (name, address, phone).**

Response:

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**4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.**

Response:

The approved Villages of Homestead DRI is located in the City of Homestead, Miami-Dade County, Township 57 South, Range 39 East, Sections 16, 17, 19, 20, 21, 22, 23, 26, 27, 28, and 29. The proposed changes occur in Sections 16, 22, and 23.

**5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.**

**Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.**

Response:

Changes proposed in this application occur in the eastern-half of the Villages of Homestead DRI ("DRI") on the lands between SW 152 Avenue and SW 132 Avenue. The proposed changes focus primarily on the Homestead-Miami Speedway and its ancillary / support uses. These proposed changes include: a DRI boundary amendment to encompass approximately 120-acres currently used for overflow parking during major

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events at the Speedway; the addition of 12,000 seats at the Motorsports venue; the reduction of density by 4 units in the eastern one-half of the DRI; and, a time extension for buildout of the DRI, as a whole.

### Background

The VOH DRI was originally approved in 1975 as a mixed-use, planned unit development (PUD). In 1985, the PUD master plan was amended and a Consolidated Application for Development Approval containing all requisite public facility and service impact analysis was approved with conditions codified in the City of Homestead Ordinance No. 85-05-34. Between 1985 and 1992 the residential real estate market in Homestead moved slower than anticipated and Hurricane Andrew in 1992 caused the population and the real estate market in south Miami-Dade to shrink considerably. With the VOH PUD stalled for the foreseeable future the City of Homestead acquired ownership of a significant portion of the largely undeveloped east one-half of the VOH DRI with the intention of developing uses designed to stimulate the economy. In 1994, following agency review of a NOPC, the eastern one-half of the DRI was amended pursuant to City of Homestead Ordinance No. 94-05-33 to eliminate:

- -4,779 residential dwelling units,
- -12.84 acres or 168,000 square feet of retail use,
- -40 acres of schools and -1.45 acres of private recreation no longer needed with the elimination of the dwelling units.

The 1994 changes also included:

- Redesignation of 100 acres from Community Parks to Baseball Stadium;
- Creation of 484.96-acres of Open Space / Recreation; and,
- Designation of 340-acres of Motorsports Facility including 130-acres of grassed overflow parking. Later in 1994, additional grassed overflow parking was added pursuant to City of Homestead Ordinance No. 94-10-104 and the total acreage of the Motorsports facility grew to 427.90 acres.

Due to market uncertainty in 1994, the limited number of major events planned for the Motorsports, and questions regarding need for and the number of permanent spectator seats needed to support the limited number of events, the City proposed and the review agencies agreed that rather than limit the number of permanent seats or parking spaces at the attraction / recreation facility, it would be more appropriate to regulate the impacts of the facility by limiting number of major events that could be held at the facility in any calendar year. The public facility impact analysis provided in the VOH DRI NOPC dated January 12, 1994 detailed the potential impact of both a typical event with 16,000 spectators and a major event with 40,000 spectators. It was then agreed pursuant to City of Homestead Ordinance No. 94-05-33, "...Major Events...shall be

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limited to eighteen (18) days in any given calendar year”, and that “...a Major Event shall mean an event or separate events conducted simultaneously at the Baseball Facility and/or Motorsports Facility for which the number of spectators exceeds 28,000.”

Upon approval in 1994, approximately 40,000 spectator seats were initially constructed at the Motorsports facility. This number grew to the current 67,612 spectator seats at the Motorsports facility. Regardless of the number of spectator seats or the amount of grassed overflow parking area, HMS has never exceeded, nor ever plans to exceed, the 18-day major event limit stipulated in City of Homestead Ordinance No. 94-05-33.

#### Homestead-Miami Speedway Proposed Improvements

Today, Homestead-Miami Speedway, LLC (HMS) and City of Homestead collectively own approximately 1087 acres within the eastern one-half of the VOH DRI. In addition, HMS is the operator of the Homestead-Miami Speedway located on lands owned by the City of Homestead. Parcels owned by the City and HMS are shown in **Figure 5-1, Property Ownership**. This Figure also illustrates acreage owned by HMS immediately north of the Motorsports facility. These lands will be discussed in detail, below.

In 2008 HMS completed a Master Planning process that identified a series of improvements to the track facility designed to enhance operations at the track during the year and in particular during race events. The Master Plan is intended to create a state of the art motorsports facility appropriate for the hosting a wide variety of national, regional and local motorsports events, including the Championship of the series event. The Master Plan’s ultimate goal is to enhance the fan experience.

During race events, fans enjoy a multi-faceted entertainment experience including state of the art corporate exhibits and product merchandising, diverse concessions and dining, retail vendors and shopping, as well as live acts. These fan experiences have outgrown the site areas designed to accommodate them and have grown into areas originally dedicated to parking. Some of this expansion has jumped across Speedway Boulevard (SW 137<sup>th</sup> Avenue), outside the event gates. In other areas, the fan experiences are located three-quarters of mile walking distance from the gates. In **Figure 5-2, Speedway Master Plan**, the existing Speedway Master Plan illustrates the current layout and use of the Motorsports complex and shows:

- SW 137<sup>th</sup> Avenue is closed during race events and used as a merchandising area;
- Corporate events currently locate in areas designated for parking west of SW 137<sup>th</sup> Avenue; and,
- Bifurcation of the Chalet Village into a Northern and Southern Villages.

The 2008 HMS Master Plan enables the track to reorganize activity areas around the track in direct relationship to the grandstands and club levels. Also shown in **Figure 5-2**, the proposed Speedway Master Plan seating is expanded at Turn One and Turn Four;

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corporate display areas, merchandising, entertainment and food areas will be consolidated into one park area, referred to as Championship Park. The existing Chalet Village north of the grandstands will more than double in size and include a permanent kitchen building. This consolidation will eliminate the need for the southern Chalet Village area. To accommodate this improved and expanded fan experience, part of Speedway Boulevard (SW 137 Avenue) must be realigned and SW 336 Street will be moved north to become SW 333 Street.

#### Proposed DRI Changes

Implementation of the HMS Master Plan requires the VOH DRI be amended to expand the DRI boundary while increasing the Attraction / Recreation land use; add 12,000 spectator seats; reduce density in the eastern one-half of the DRI by 4 dwelling units; and, extend the DRI development order termination date.

Expand DRI Boundary. The addition of approximately 120 acres located north of SW 336 Street between SW 132 Avenue and SW 142 Avenue. These lands are currently used for overflow parking associated with major events at the Homestead-Miami Speedway as permitted in 2001, through a Miami-Dade County Class IV Special Permit. The addition of these lands will increase land designated for Motorsports from 427.90 acres to approximately 547.90 acres. The 120 acre addition will consist of 60 acres to Sector 19 (Area 5) and 60 acres to Sector 22 (Area 5). **Figure 5-3, DRI Areas and Sectors**, illustrates the five DRI areas and all sectors located within each area.

Add Spectator Seats. The addition of 12,000 spectator seats to Turn One and Turn Four will increase the total number of Motorsports seats from 67,612 to 79,612. Regardless of the proposed addition of spectator seats, HMS must and will abide by the 18-day major event limit stipulated in City of Homestead Ordinance No. 94-05-33.

Density Reduction. The Applicant proposes to reduce the approved number of single-family dwelling units in Sector 13 (Area 2) of the DRI from 143 dwelling units to 139 dwelling units – a decrease of four dwelling units. Sector 13 is currently builtout with 139 single-family units. During the development of Sector 13 four homes were built on more than one lot, and one lot has been deeded as community open space. Therefore, four approved dwelling units remain unbuilt. This density reduction ensures that this application satisfies the requirements of 380.06(19)(e)5.b., Florida Statutes (FS). **Figure 5-4, Simultaneous Increase and Decrease**, indicates the location of the shift in the development program.

Extend DRI Development Order Termination Date. The 2008 HMS Master Plan has a 15-year time horizon and is expected to be fully implemented by December 31, 2023. The approved development order (DO) termination date

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for the VOH DRI is 2015 – eight years short of the Master Plan time horizon. Therefore, this application requests an eight-year extension of the DO termination date from 2015 to December 31, 2023. This 8-year time extension is proposed pursuant to section 380.06(19)(c), FS, which specifies a 5-year extension is not a substantial deviation; and, allows an additional 3-year extension regardless of any prior extension to account for 2007 market conditions.

#### Infrastructure Demand

Infrastructure demand analysis for water, sewer and solid waste were conducted for each land use type. The proposed changes to single family residential and motorsport facilities east of SW 152 Avenue results in a projected cumulative change demand for potable/non-potable water, from 1985 to 2010, of a net reduction of -1.18 MGD (million gallons per day) for sectors east of SW 152 Avenue, and a total reduction of -1.16 MGD for the entire DRI (see **Exhibit M, Potable/Non-Potable Water Demand**). These land use changes also result in the reduction of projected cumulative change demand for sanitary sewer, from 1985 to 2010, of -1.18 MGD (million gallons per day) for sectors east of SW 152 Avenue, and a total reduction of -1.16 MGD for the entire DRI (see **Exhibit N, Sanitary Sewer Demand**). **Exhibit O, Solid Waste Demand** illustrates that the proposed land use changes to single family residential and motorsport facilities east of SW 152 Avenue results in a cumulative solid waste generation change reduction of -10,569 TPD (tons per day), and an overall reduction of -6,815 TPD in the DRI. **Exhibit P, Letter of Water and Sewer Capacity** indicates that the City of Homestead has sufficient potable water and sanitary sewer capacity to serve the proposed expansion.

The NOPC Application Traffic Study included in this application has been prepared to evaluate the potential regional transportation impacts resulting from proposed changes to the VOH DRI. Based upon the existing spectator capacity at the Speedway, this study evaluates actual traffic conditions on state and regionally significant roadways using continuous count station data and toll data from FDOT and Florida's Turnpike for the actual days of the NASCAR championship series for the years 2005 through 2008. This analysis documents traffic conditions on the regional state highway system using actual traffic counts for each analysis year for the Peak Hour Period, the AM Peak Hour, the PM Peak Hour and the hourly operations (measured by v/c) for the peak hour directional and two-way peak hour traffic for the Friday, Saturday and Sunday of each NASCAR championship series. To address proposed DRI modifications, the trips anticipated from the 12,000 additional spectator seats have been incorporated into the analysis of the regional state highway system.

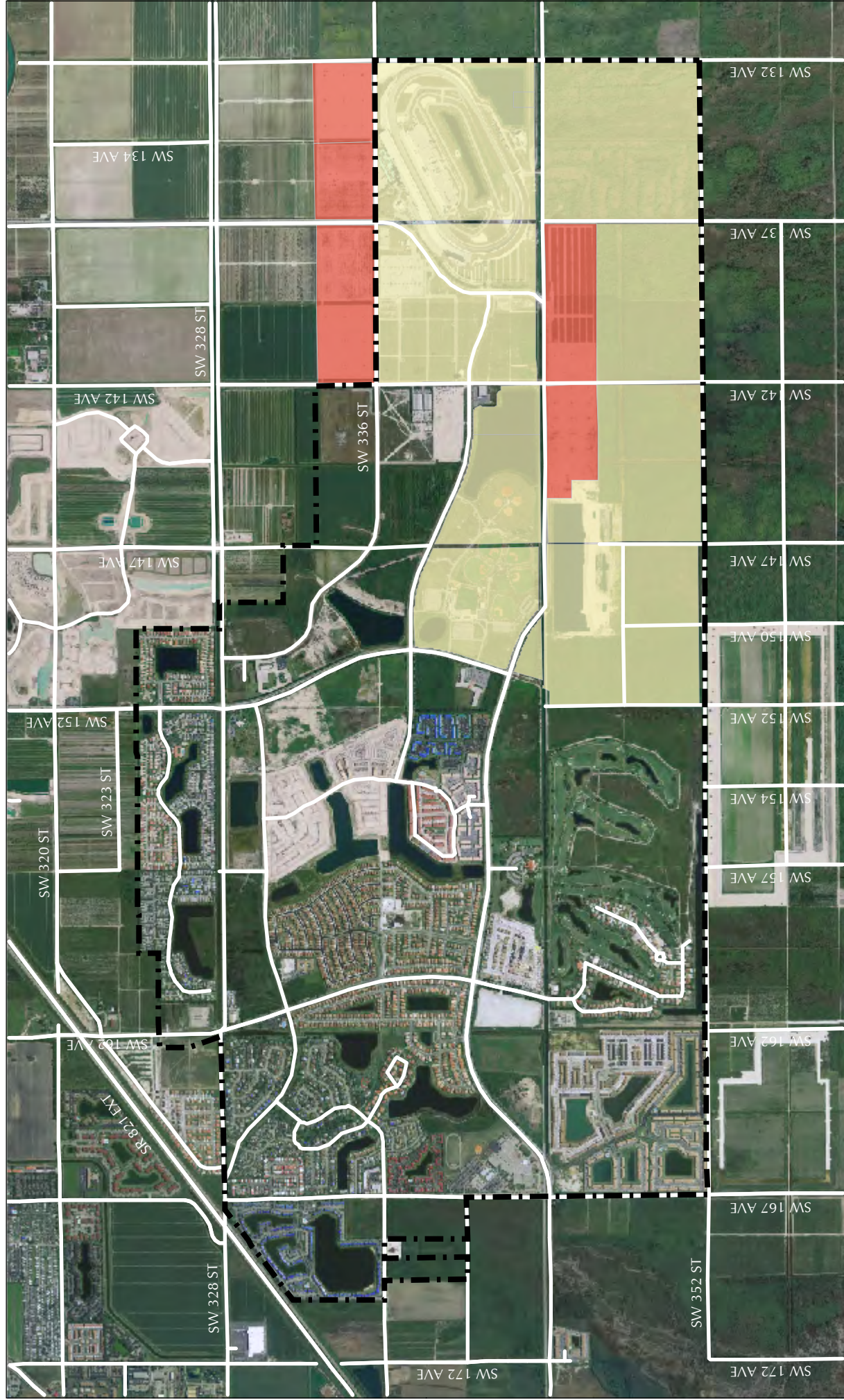
#### Affordable Housing

Homestead-Miami Speedway currently employs fewer than 50 people on a permanent



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basis. Obviously, on major event days, a force of temporary workers is assembled for a variety of functions. It is not anticipated that after the proposed expansion that the permanent workforce will exceed 50 people. Accordingly, the proposed expansion of the Speedway will not result in a "significant" deficiency in terms of affordable housing. For this purpose, significant is defined as a number equal to or greater than 5 percent of the residential threshold for DRI's in Miami-Dade County, i.e. a shortage of 150 units or more.



# LEGEND

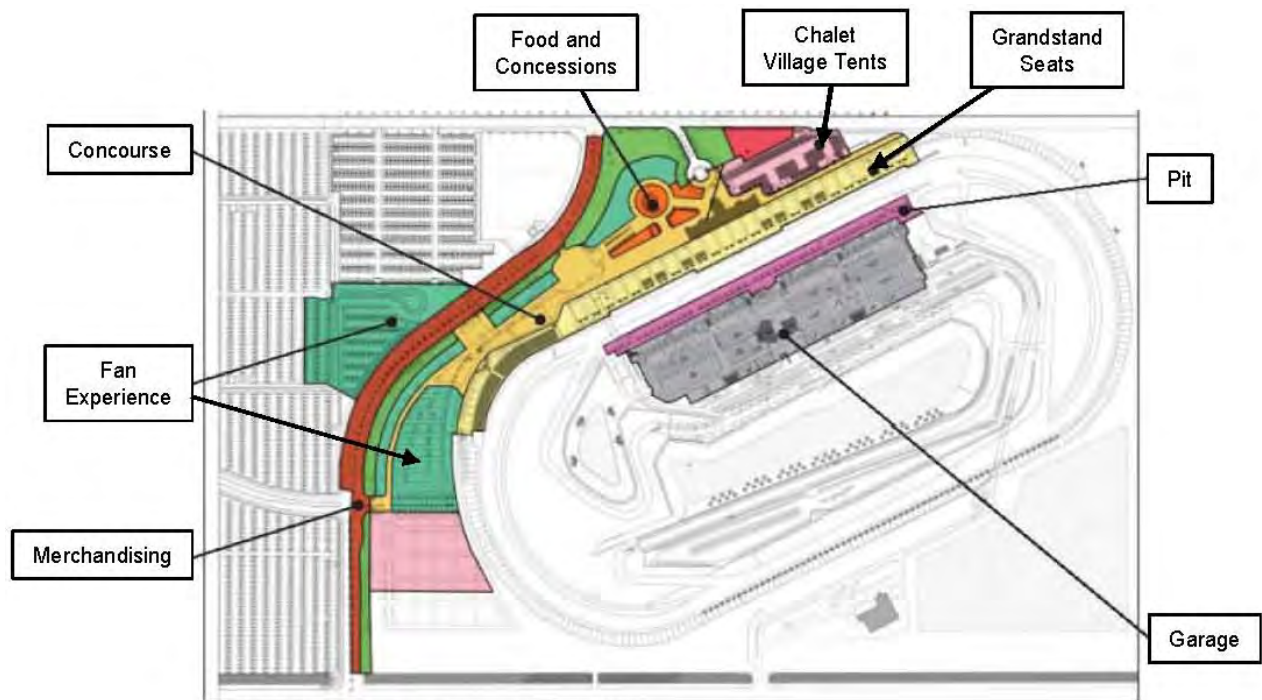
- CITY OF HOMESTEAD
- HOMESTEAD-MIAMI SPEEDWAY LLC
- VILLAGES OF HOMESTEAD DRI BOUNDARY

Source: Miami-Dade GIS 2008 - Adapted by The Curtis Group, 2010

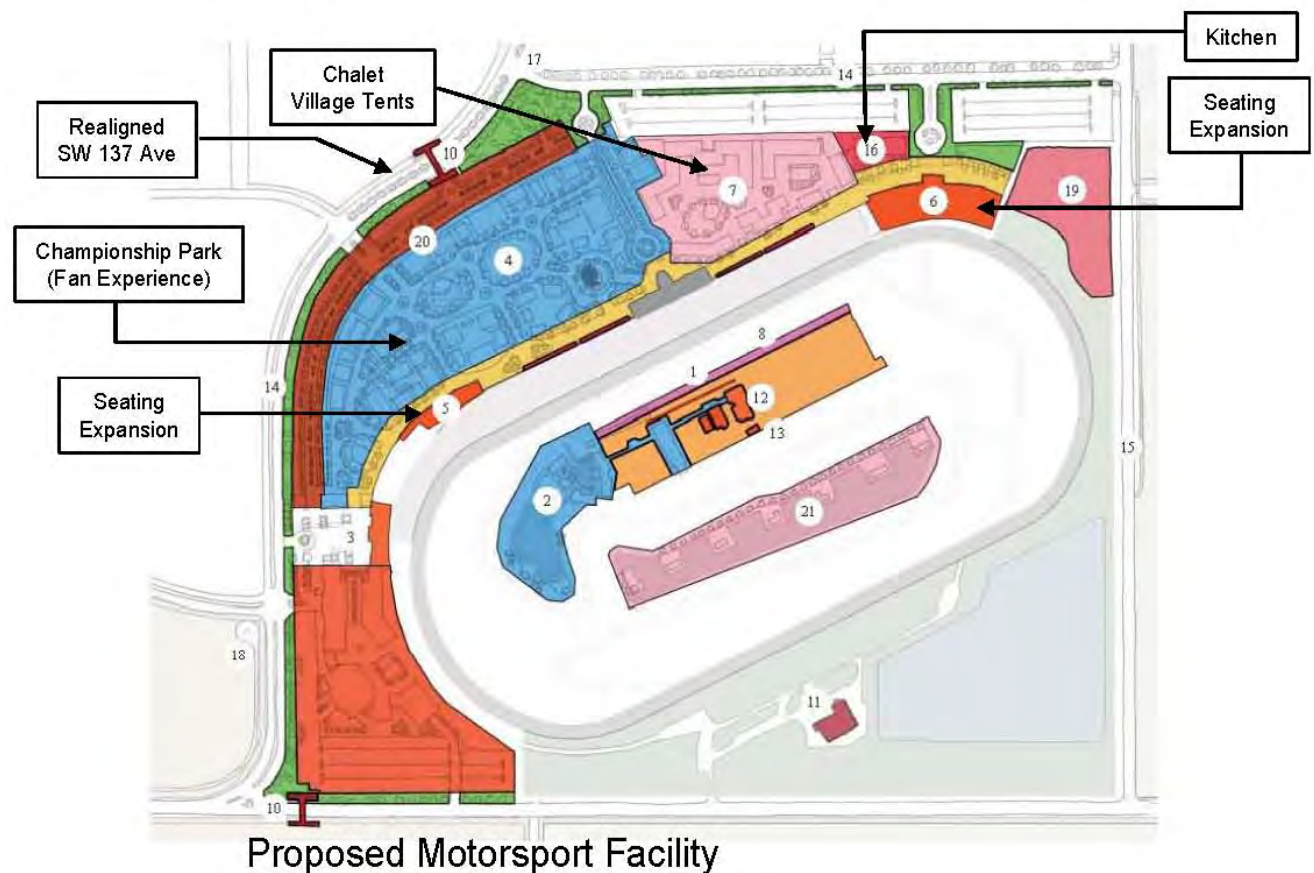
0 1,100 2,200 4,400 Feet

**FIGURE 5-1**  
**PROPERTY OWNERSHIP**  
 ISC HOMESTEAD





Existing Motorsport Facility

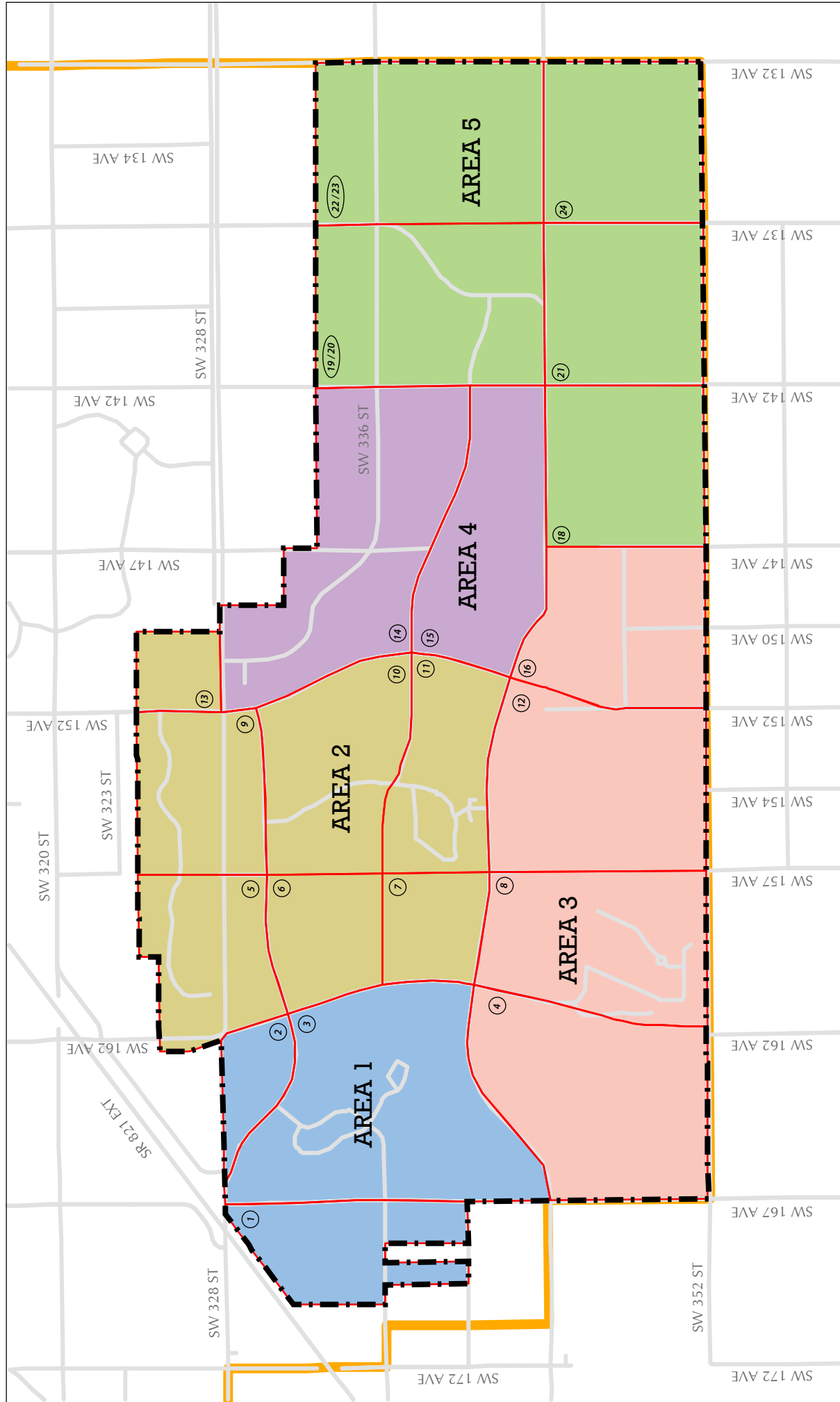


Proposed Motorsport Facility

Source: Urban Design Associates 2008; Adapted by The Curtis Group, 2010

**FIGURE 5-2  
SPEEDWAY MASTER PLAN**

ISC HOMESTEAD



# LEGEND

PROPOSED 2010 VILLAGES OF HOMESTEAD DRI BOUNDARY

CITY OF HOMESTEAD BOUNDARY

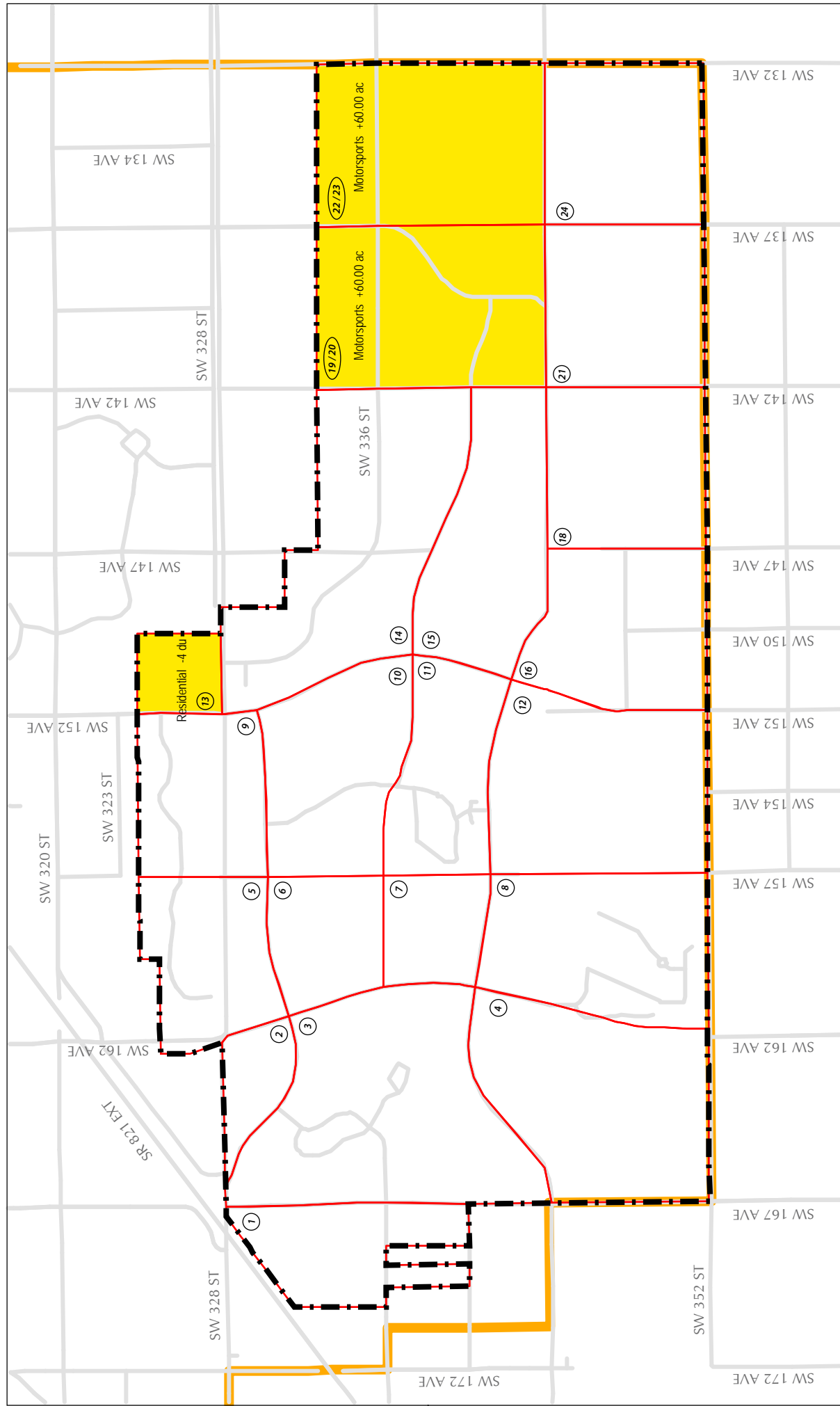
HOMESTEAD DRI SECTORS



Source: Miami-Dade GIS 2008. Adapted by The Curtis Group, 2010  
 Feet  
 0 1,100 2,200 4,400

**FIGURE 5-3**  
**DRI AREAS AND SECTORS**  
 ISC HOMESTEAD





## LEGEND

- | PROPOSED 2010 VILLAGES OF HOMESTEAD DRI BOUNDARY                                      | PROPOSED 2010 VILLAGES OF HOMESTEAD DRI SECTORS                                       |
|---|---|
|  |  |

CITY OF HOMESTEAD BOUNDARY



Source: Miami-Dade GIS 2008; Adapted by The Curtis Group, 2010

**FIGURE 5-4**  
**SIMULTANEOUS INCREASE AND DECREASE**  
ISC HOMESTEAD

- 
6. **Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.**

Response:

The VOH DRI was originally approved in 1975 as a mixed-use, planned unit development (PUD) community. In 1985 the PUD master plan was amended and a Consolidated Application for Development Approval was approved pursuant to City of Homestead Ordinance No. 85-05-34. A copy of the approved 1985 Master Development Plan and Land Use Data Chart are attached as **Exhibit A** and **B**, respectively, for reference purposes. The currently approved 2001 Master Development Plan and Land Use Chart are attached as **Exhibit C** and **D**, respectively. The Proposed Master Development Plan and Proposed Land use Data Chart are presented in **Exhibits E** and **F**, respectively. A graphic representation of the changes from 1985 to 2010 is attached as **Exhibit G – Cumulative Changes by Sector**. A table outlining the currently approved program, the proposed changes, and the resulting cumulative changes throughout the years, on a sector by sector basis, is attached as **Exhibit H**. **Exhibit I – Substantial Deviation Determination Chart**, outlines the approved, proposed and cumulative changes based on land uses west and east of SW 152 Avenue (Kingman Road).

7. **List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?**

Response:

The Villages of Homestead Development of Regional Impact was created and approved by Ordinance No. 75-11-70 dated December 3, 1975. The original development order was modified by the subsequent Ordinance Nos. 76-02-9, Resolution 79-10-32, 81-07-47, 84-05-33, 85-05-33, 85-05-34, 87-01-1, 94-05-32, 94-10-104, 99-05-29, and 2001-12-36. A copy of the original development order and its amending ordinances are included in **Exhibit J**. The cumulative changes reflected in these amendments are reflected in the Substantial Deviation Determination Chart.

The changes proposed in this NOPC occur only in the eastern half of the Villages of Homestead DRI between SW 152 Avenue (Kingman Road) and SW 132 Avenue. As such, the Substantial Deviation Determination Chart clearly identifies sectors east and west of SW 152 Avenue.

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**8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.**

*Response:*

The Villages of Homestead DRI was amended in 1979, 1984, and 1985 to include out-parcels. The Legal description of the out-parcels added are set forth in Ordinance Nos. 79-08-48, 84-05-32 and 85-05-33 of the City of Homestead (see **Exhibit J**).

Homestead-Miami Speedway, LLC, has purchased approximately 159-acres adjacent to the DRI. These lands are shown in **Figure 8-1**. The 120-acres north of SW 336 Street and west of SW 132 Avenue are the subject of this application. In 2001 and 2004, Homestead-Miami Speedway, LLC, received Class IV Special Permits allowing the land to be used as overflow parking for the Homestead-Miami Speedway (see **Exhibit K**). The legal description for this out-parcel is made a part of this application as **Exhibit L**.

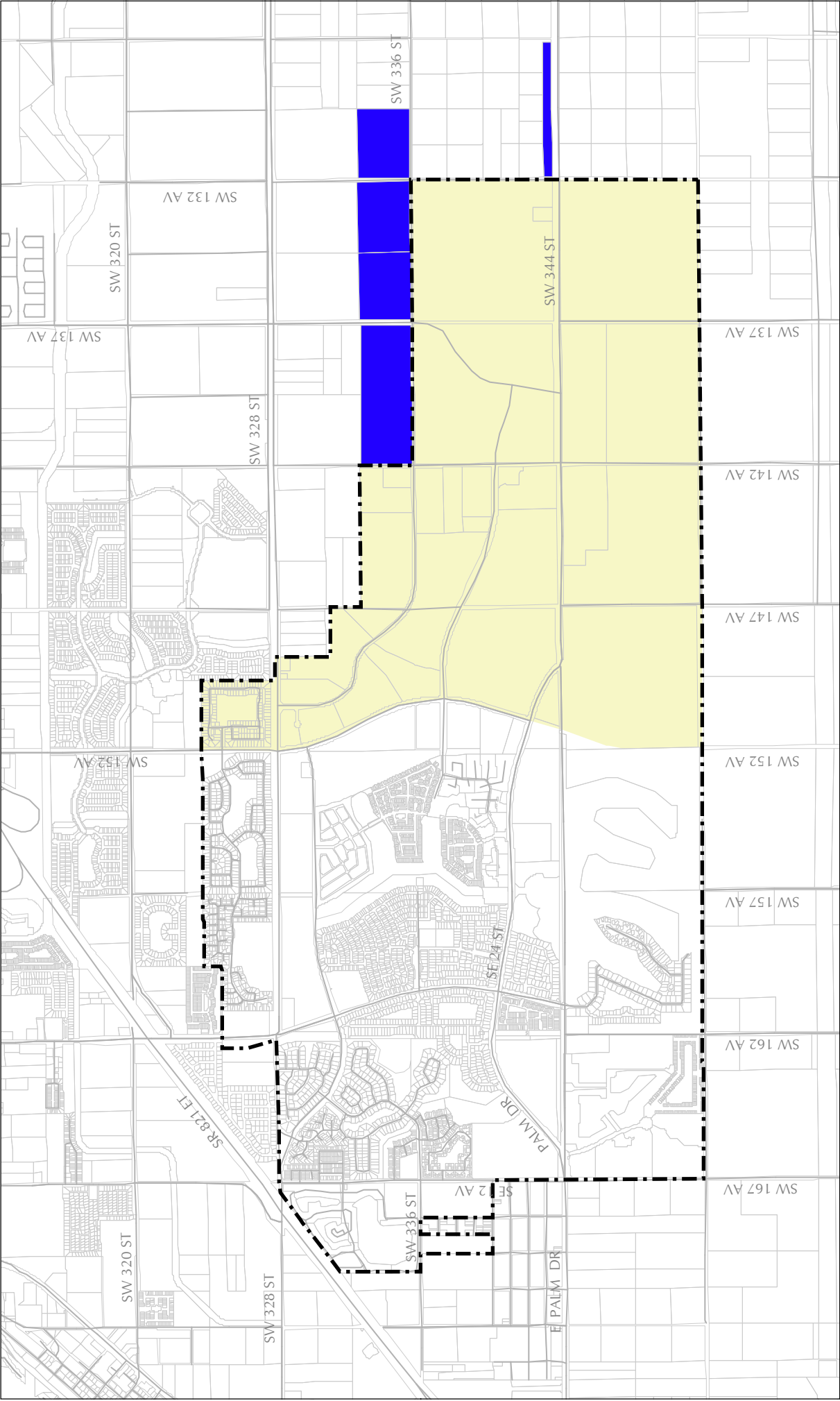
No use is currently intended for the 30-acre parcel north of SW 336 Street and east of SW 132 Street; nor is a use intended for the nine-acre tract north of SW 344 Street and east of SW 132 Avenue.

- 9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.**

**Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.**

**YES** \_\_\_\_\_

**NO** \_\_\_\_\_ **X** \_\_\_\_\_



**LEGEND**

- VILLAGES OF HOMESTEAD DRI BOUNDARY
- VILLAGES OF HOMESTEAD DR SECTORS UNDER CONSIDERATION FOR NOPC
- PURCHASED LANDS

Source: Miami-Dade GIS 2008. Adapted by The Curtis Group, 2010

**FIGURE 8-1**  
**PURCHASED LANDS**  
ISC HOMESTEAD



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**10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.**

**Response:**

In recognition of the provisions of Section 380.06(19)(c), FS, this application proposes an 8-year extension to the buildout to incorporate the following:

- The 5-year buildout date extension which is not a substantial deviation; and,
- The 3-year extension to the buildout date specified in section 380.06(19)(c), FS, which states:

“...In recognition of the 2007 real estate market conditions, all phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection.”

**11. Will the proposed change require an amendment to the local government comprehensive plan?**

**Response:**

The proposed change requires amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP) and the City of Homestead Comprehensive Plan. Amendment applications for both jurisdictions will be filed concurrently with the DRI NOPC.

The Miami-Dade County CDMP amendment application includes a request to expand the Urban Development Boundary to encompass the subject 120-acres; an associated text amendment to support the proposed boundary change; and, a proposed change in the land use designation for the subject 120-acres from “Agriculture” to “Business and Office,” consistent with the existing CDMP land use designation used for the Homestead-Miami Speedway.

The City of Homestead Comprehensive Plan amendment application seeks to amend the Future Land Use Map to shift the Urban Development Boundary to include the subject acreage and to change the land use designation for the subject 120-acres from “Agriculture” to “Planned Regional Activity Center” (PRAC), consistent with the existing Homestead Comprehensive Plan land use designation used for the Homestead-Miami Speedway.

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Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

Response:

Attached as **Exhibits E** and **F** are the Proposed Master Development Plan and Proposed Land Use Chart. The referenced plan and table portray the proposed changes to the approved Master Development Plan. **Exhibits G** and **H** provide a summary of the proposed changes.

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:
- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

Response:

Proposed changes to City of Homestead Ordinance No. 2001-12-36 development order conditions are shown below in strike-through and underline.

Section 2. Approved Changes and Conditions. The proposed changes are hereby approved subject to the following conditions:

- 2.1 The maximum number of residential dwelling units within the DRI shall not exceed ~~9,882~~ 9,878 dwelling units.
- 2.2 The commercial development within the DRI shall not exceed 974,000 square feet on 107.52 acres.
- 2.3 The hotel shall be limited to 400 hotel rooms.
- 2.4 The industrial development within the DRI shall not exceed 3,100,000 square feet on 275.10 acres.
- 2.5 The Developer shall develop a 127-bed hospital on 13 acres.

- 
- 2.6 The office development within the DRI shall not exceed 241,000 square feet on 14.50 acres.
- 2.7 The DRI shall have 843.23 acres of recreation / open space, of which 2.21 acres shall be private recreation space, 90.75 acres shall be community park, and 150 acres shall be golf course.
- 2.8 Lands identified as school sites shall be 58.34 acres.
- 2.9 The Major Events described in Exhibit H of the NOPC approved pursuant to City of Homestead Ordinance No. 94-05-33 shall be limited to eighteen (18) days in any given calendar year. Notwithstanding anything to the contrary in said Exhibit H and / or this Ordinance, a Major Event shall mean an event or separate events simultaneously at the Baseball Facility and / or Motorsports Facility for which the number of spectators exceeds 28,000.
- 2.10 All weekday Major Events shall be limited to a total of 53,128 spectators and a start time of no earlier than 8 p.m. Spectator seating for weekend Major Events shall be limited to 79,612.
- 2.11 The attraction / recreation uses shall be on ~~527.90~~ 647.90 acres as follows: The Baseball Facility shall be on 100 acres. The Motor Sports Facility shall be on a total of ~~427.90~~ 547.90 acres, of which 203 acres shall be designated for the Motor Sports Facility grass buffer / overflow parking.
- 2.12 All use and development activities authorized herein shall comply with the environmental regulatory permits (the "Permits") as described in the Notice and as issued by the Miami-Dade County Department of Environmental Resource Management (DERM), the South Florida Water Management District (SFWMD) and the US Army Corps of Engineers (USACOE). No development authorized in this Ordinance shall be undertaken unless such Permits have first been issued, and all development must comply with the Permits, as amended from time to time. A copy of the DERM, SFWMD and USACOE permits, as issued and amended, shall be maintained on file in the City Clerk's office.
- 2.13 The development of the DRI property shall be in substantial compliance with the Proposed Master Plan entitled "Proposed Master Plan / Keys Gate at Villages of Homestead," dated ~~10-26-01~~ and revised ~~11-29-01~~ 02-15-10, and attached hereto as Exhibit "A", and the Proposed Master Development Plan – Proposed Land Use Chart, dated ~~11-28-01~~ 02-15-10, attached hereto as Exhibit "B".

Section 3. Master Development Plan. The Proposed Master Plan, ~~dated 10-26-01 and revised 11-29-01~~ 02-15-10, which is attached hereto as Exhibit "A" (and attached as Exhibit "C" to the NOPC) shall supersede all prior approved development plans, shall serve as the Master Development Plan for the DRI, and shall control the development of the DRI. The properties governed by the Proposed Master Plan shall be developed and used in accordance with the Proposed Master Plan, and in accordance with the purposes and conditions of this Ordinance.

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SECTION 4. Master Development Plan Land Use Chart. The Proposed Master Development Plan – Proposed Land Use Chart, dated ~~11-28-01~~ 02-15-10, (the “Proposed Land Use Chart”) attached hereto as Exhibit “B” (and attached as Exhibit “D” to the NOPC) shall supersede all prior approved Land Use Charts, shall serve as the Master Development Plan Land Use Chart for the DRI, and, in conjunction with the Proposed Master Plan, shall control the development of the DRI. The properties governed by the Proposed Land Use Chart shall be developed and used in accordance with the Proposed Land Use Chart, and in accordance with the purposes and conditions of this Ordinance.

In addition, City of Homestead Ordinance No. 87-01-1, Attachment B, condition 2 is proposed to be amended as follows:

2. A proposed amended development order termination date that reasonably reflects the time required to complete the development is December 31, 2023.

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;**

*Response:*

The legal description for the property is attached as **Exhibit “L-1”** and the legal description for the additional 120-acre out-parcel, which is being incorporated in the DRI with this application is attached as **Exhibit “L-2”**.

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;**

*Response:*

Not applicable.

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;**

*Response:*

Pursuant to the response to question 10, above, the proposed development order termination date that reasonably reflects the time required to complete the development is proposed to be changed from “the year 2015” to “December 31, 2023”.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to downzoning, unit density reduction, or intensity reduction, if applicable; and,**

*Response:*



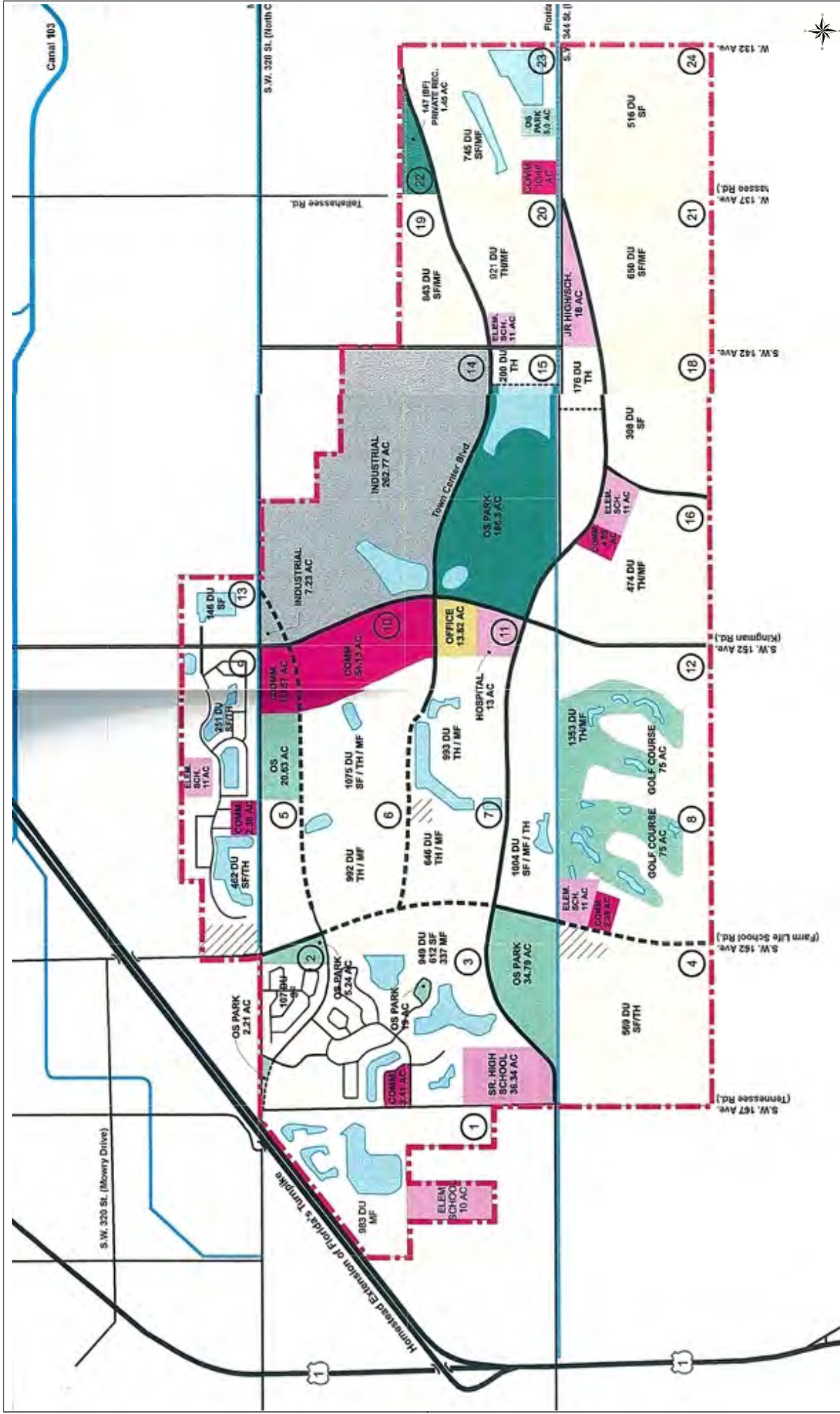
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In recognition to the response to question 13.e., above, development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction is December 31, 2025. This proposed date is 2 years beyond the development order termination date to allow construction to be completed for development permitted by December 31, 2023, but not completed by that date.

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.**

Response:

Not applicable.



**Legend**

- Subject Parcel
- Completed Roadway
- Proposed Roadway
- Canal
- Section Line

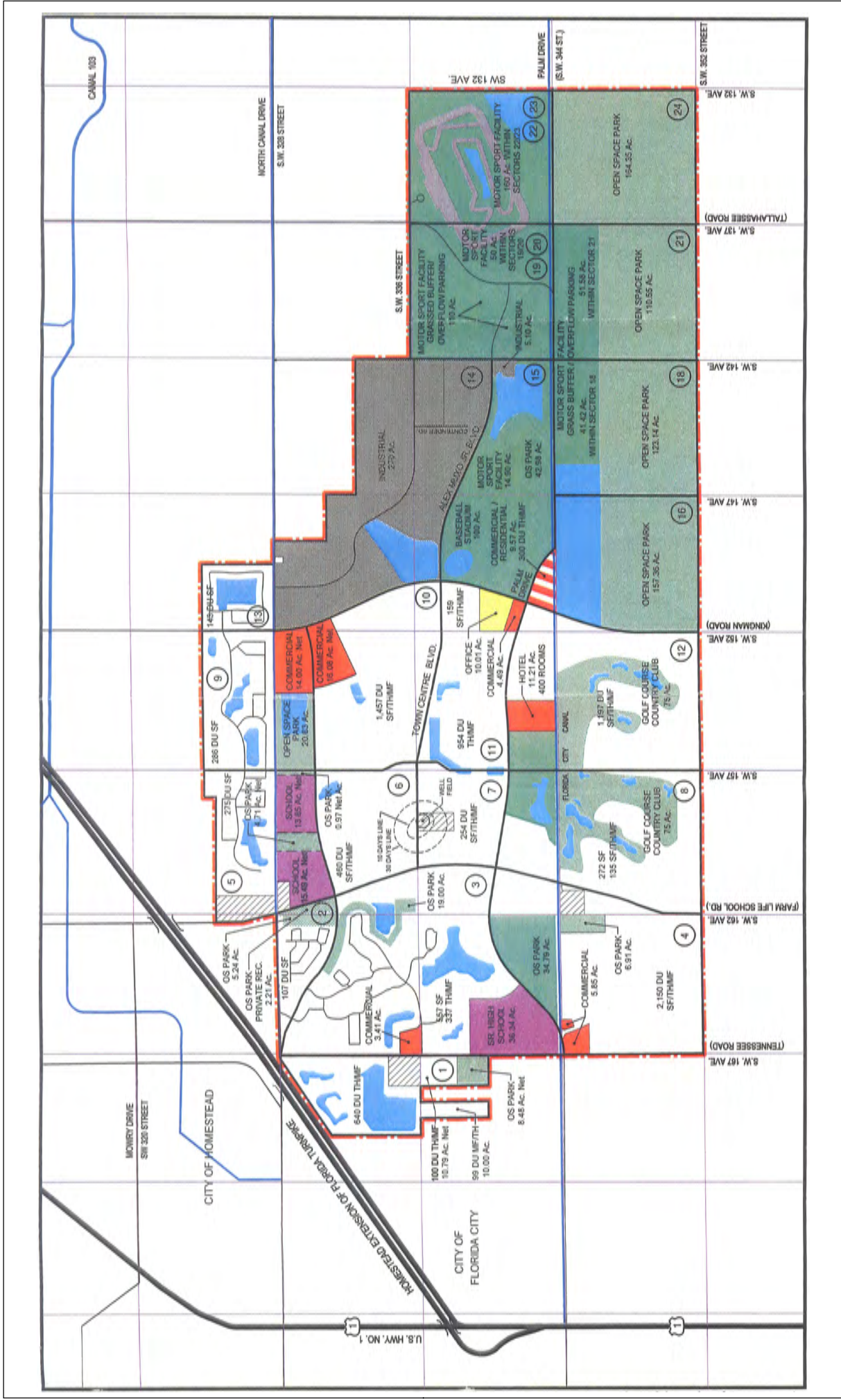
Land Use Type	Color/Pattern
Residential	Pink
Retail	Light Pink
Industrial	Grey
Institutional	Light Blue
Recreational	Green
Open Space	Light Green
Non-Owned	Hatched

**EXHIBIT A**  
**APPROVED 1985 MASTER PLAN**  
 ISC HOMESTEAD

**EXHIBIT B**  
**1985 MASTER DEVELOPMENT PLAN**

	Residential (DU)				Open Space (AC)	Private Recreation (AC)	Community Park (AC)	Golf Course (AC)	School (AC)	Public Service (AC)	Hospital (AC)	Commercial (AC)	Office (AC)	Industrial (AC)	Hotel (Rooms)	Baseball Stadium (AC)	Motorsport Facility (AC)	
	SF	TH	MF	Total														
AREA 1																		
	Sector 1		298	640	938													
	2	107			5.24	2.21												
	3	612	337		19.00				36.34			3.41						
	Subtotal	719	635	640	1,994	24.24	2.21	0.00	36.34	0.00	0.00	3.41	0.00	0.00	0.00	0.00	0.00	
AREA 2																		
	Sector 5				462							2.38						
	6				992													
	7				646					6.53								
	9				251	20.63			11.00			14.00						
	10				1,075							64.13						
	11				993						13.00		13.82					
	13				146								7.23					
	Subtotal	566	1,338	2661	4,565	20.63	0.00	0.00	11.00	6.53	13.00	80.51	13.82	7.23	0.00	0.00	0.00	
AREA 3																		
	Sector 4				569	34.79												
	8				1,004				75.00			3.79						
	12				1,353				75.00									
	16				474							4.85						
	Subtotal	1027	1,259	1,114	3,400	34.79	0.00	0.00	150.00	22.00	0.00	8.64	0.00	0.00	0.00	0.00	0.00	
AREA 4																		
	Sector 14				0									262.77				
	15		376		376													
	Subtotal	0	376	0	376	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	262.77	0.00	0.00	0.00	
AREA 5																		
	Sector 18				308													
	19				843													
	20				921				29.00									
	21				650													
	22				147		1.45											
	23				745	5.00						10.46						
	24				516													
	Subtotal	1,652	70	2,408	4,130	5.00	1.45	0.00	29.00	0.00	0.00	10.46	0.00	0.00	0.00	0.00	0.00	
Total Sectors	3,964	3,678	6,823	14,465	84.66	3.66	186.30	150.00	98.34	6.53	13.00	103.02	13.82	270.00	0.00	0.00	0.00	





**LEGEND:**

- Subject Parcel
- Sector Lines
- Canal
- Section Line
- Existing Well Field Cone of Influence
- Restricting Density

- Residential
- Retail / Commercial
- School
- Industrial
- Recreational
- Open Space
- Non-Owned
- Office
- Commercial or Residential

# EXHIBIT C

## CURRENTLY APPROVED 2001 MASTER PLAN

ISC HOMESTEAD

**EXHIBIT D**  
**2001 MASTER DEVELOPMENT PLAN**

	Residential (DU)			Open Space (AC)	Private Recreation (AC)	Community Park (AC)	Golf Course (AC)	School (AC)	Public Service (AC)	Hospital (AC)	Commercial (AC)	Office (AC)	Industrial (AC)	Hotel (Rooms)	Baseball Stadium (AC)	Motorsport Facility (AC)
	SF	TH/MF	Total													
AREA 1																
	Sector 1		983													
	2	107		5.24	2.21											
	3	514	337	19.00				36.34			3.41					
	Subtotal	621 <sup>1</sup>	1,320	24.24	2.21	0.00	0.00	36.34	0.00	0.00	3.41	0.00	0.00	0.00	0.00	0.00
AREA 2																
	Sector 5	275				12.98		22.00								
	6		644													
	7		603													
	9	286		20.63							14.00					
	10		918								71.47					
	11		993							13.00	3.22	14.50				
	13	143														
	Subtotal	704 <sup>1</sup>	3,158	20.63	0.00	12.98	0.00	22.00	0.00	13.00	88.69	14.50	0.00	0.00	0.00	0.00
AREA 3																
	Sector 4					34.79					5.85					
	8						75.00									
	12						75.00							400.00		
	16		300	157.36							9.57					
	Subtotal	1,128 <sup>2</sup>	2,951	157.36	0.00	34.79	150.00	0.00	0.00	0.00	15.42	0.00	0.00	400.00	0.00	0.00
AREA 4																
	Sector 14												270.00			
	15					42.98							5.10		100.00	14.90
	Subtotal	0	0	0.00	0.00	42.98	0.00	0.00	0.00	0.00	0.00	0.00	275.10	0.00	100.00	
AREA 5																
	Sector 18			123.14												41.42
	19														80.00	
	20														80.00	
	21			110.55											51.58	
	22														80.00	
	23														80.00	
	24			164.35												
	Subtotal	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	413.00	
Total Sectors		2,453	7,429	600.27	2.21	90.75	150.00	58.34	0.00	13.00	107.52	14.50	275.10	400.00	100.00	427.90

<sup>1</sup> Built out sectors

<sup>2</sup> Based on 1985 cumulative changes and known built out sectors.





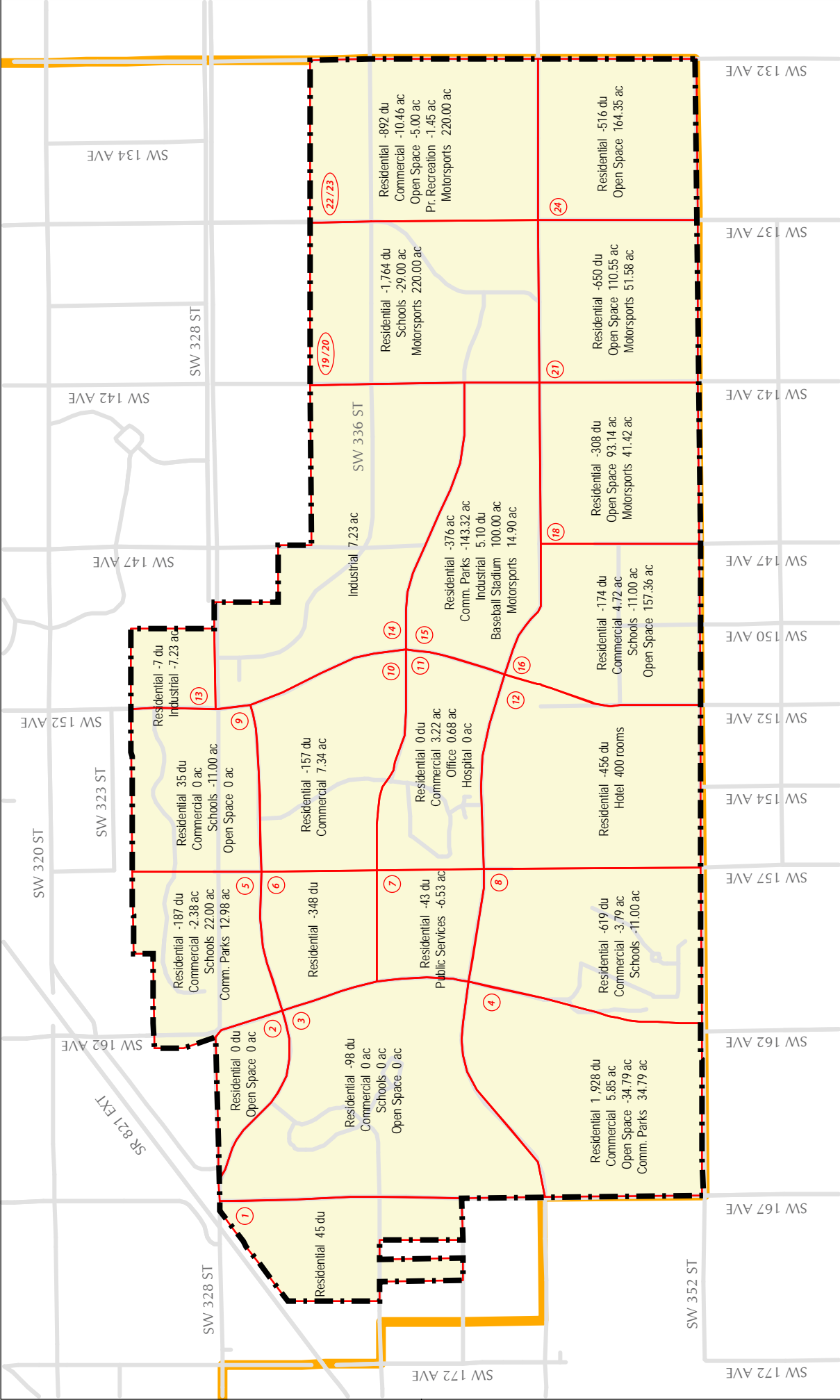
**EXHIBIT F**  
**2010 MASTER DEVELOPMENT PLAN**

	SF	Residential (DU)		Open Space (AC)	Private Recreation (AC)	Community Park (AC)	Golf Course (AC)	School (AC)	Public Service (AC)	Hospital (AC)	Commercial (AC)	Office (AC)	Industrial (AC)	Hotel (Rooms)	Baseball Stadium (AC)	Motorsport Facility (AC)
		TH	MF													
<b>AREA 1</b>																
Sector 1	275	983	983													
2	107		107	5.24	2.21											
3	514	337	851	19.00				36.34			3.41					
<b>Subtotal</b>	621 <sup>1</sup>	1,320	1941	24.24	2.21	0.00	0.00	36.34	0.00	0.00	3.41	0.00	0.00	0.00	0.00	0.00
<b>AREA 2</b>																
Sector 5	275		275			12.98		22.00								
6		644	644													
7		603	603													
9	286		286	20.63							14.00					
10		918	918								71.47					
11		993	993							13.00	3.22	14.50				
13	139 <sup>2</sup>		139													
<b>Subtotal</b>	700 <sup>1</sup>	3,158	3,858	20.63	0.00	12.98	0.00	22.00	0.00	13.00	88.69	14.50	0.00	0.00	0.00	0.00
<b>AREA 3</b>																
Sector 4			2,497			34.79					5.85					
8			385				75.00									
12			897				75.00							400.00		
16		300	300	157.36							9.57					
<b>Subtotal</b>	1,128 <sup>2</sup>	2,951	4,079	157.36	0.00	34.79	150.00	0.00	0.00	0.00	15.42	0.00	0.00	400.00	0.00	0.00
<b>AREA 4</b>																
Sector 14													270.00			
15						42.98							5.10			14.90
<b>Subtotal</b>	0	0	0	0.00	0.00	42.98	0.00	0.00	0.00	0.00	0.00	0.00	275.10	0.00	100.00	14.90
<b>AREA 5</b>																
Sector 18				123.14												41.42
19																140.00 <sup>*</sup>
20																80.00
21				110.55												51.58
22																140.00 <sup>*</sup>
23																80.00
24				164.35												
<b>Subtotal</b>	0	0	0	398.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	533.00
<b>Total Sectors</b>	<b>2,449</b>	<b>7,429</b>	<b>9,878</b>	<b>600.27</b>	<b>2.21</b>	<b>90.75</b>	<b>150.00</b>	<b>58.34</b>	<b>0.00</b>	<b>13.00</b>	<b>107.52</b>	<b>14.50</b>	<b>275.10</b>	<b>400.00</b>	<b>100.00</b>	<b>547.90</b>

<sup>1</sup> Built out sectors

<sup>2</sup> Based on 1985 cumulative changes and known built out sectors.

<sup>\*</sup> Land uses proposed for change between 2001 and 2010.



**EXHIBIT H**  
**CUMULATIVE CHANGE BY SECTOR**  
**Approved - 1985 and 2001, Proposed - 2010**

Sector Location	Sector Number	Residential (DU)			Open Space (AC)			Private Recreation (AC)			Community Parks (AC)				
		Approved 1985	Previous Approved Change	Proposed 2010	Cumulative Change	Approved 1985	Previous Approved Change	Proposed 2010	Cumulative Change	Approved 1985	Previous Approved Change	Proposed 2010	Cumulative Change		
AREA 1		[A]	[B-A]	[C]	[C-A]	[A]	[B]	[B-A]	[C]	[C-A]	[A]	[B]	[B-A]	[C]	[C-A]
	Sector 1	938	983	45	983	45	0	0	0	0	0	0	0	0	0
	2	107	0	107	0	5.24	5.24	0	5.24	0	2.21	2.21	0	0	0
	3	949	851	-98	851	-98	19.00	19.00	0	19.00	0	0	0	0	0
	Subtotal	1994	1941	-53	1941	-53	24.24	24.24	0.00	24.24	0.00	2.21	2.21	0.00	0.00
AREA 2															
	Sector 5	482	275	-187	275	-187	0	0	0	0	0	0	0	0	0
	6	992	644	-348	644	-348	0	0	0	0	0	0	0	0	0
	7	646	603	-43	603	-43	0	0	0	0	0	0	0	0	0
	9	251	286	35	286	35	20.63	20.63	0	20.63	0	0	0	0	0
	10	1075	918	-157	918	-157	0	0	0	0	0	0	0	0	0
	11	993	993	0	993	0	0	0	0	0	0	0	0	0	0
	13	146	143	-3	139	-7	0	0	0	0	0	0	0	0	0
	Subtotal	4565	3862	-703	3858	-707	20.63	20.63	0.00	20.63	0.00	0.00	0.00	12.98	12.98
AREA 3															
	Sector 4	569	2497	1928	2497	1928	34.79	0	-34.79	0	-34.79	0	34.79	34.79	34.79
	8	1004	385	-619	385	-619	0	0	0	0	0	0	0	0	0
	12	1353	897	-456	897	-456	0	0	0	0	0	0	0	0	0
	16	474	300	-174	300	-174	0	157.36	157.36	157.36	157.36	0	0	0	0
	Subtotal	3400	4079	679	4079	679	34.79	157.36	122.57	157.36	122.57	0.00	0.00	34.79	34.79
AREA 4															
	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	15	376	0	-376	0	-376	0	0	0	0	0	186.30	42.98	-143.32	42.98
	Subtotal	376	0	-376	0	-376	0.00	0.00	0.00	0.00	0.00	186.30	42.98	-143.32	42.98
AREA 5															
	Sector 18	308	0	-308	0	-308	0	123.14	123.14	123.14	123.14	0	0	0	0
	19	843	0	-843	0	-843	0	0	0	0	0	0	0	0	0
	20	921	0	-921	0	-921	0	0	0	0	0	0	0	0	0
	21	650	0	-650	0	-650	0	110.55	110.55	110.55	110.55	0	0	0	0
	22	147	0	-147	0	-147	0	0	0	0	0	1.45	0	0	-1
	23	745	0	-745	0	-745	5.00	0	-5.00	0	-5.00	0	0	0	0
	24	516	0	-516	0	-516	0	164.35	164.35	164.35	164.35	0	0	0	0
	Subtotal	4130	0	-4130	0	-4130	5.00	398.04	393.04	398.04	393.04	1.45	0.00	0.00	0.00
Total Sectors		14465	9882	-4583	9878	-4587	84.66	600.27	515.61	600.27	515.61	3.66	2.21	-1.45	-1.45
												186.30	90.75	-95.55	-95.55

\* Land uses proposed for change between 2001 and 2010.

**EXHIBIT H**  
**CUMULATIVE CHANGE BY SECTOR**  
**Approved - 1985 and 2001, Proposed - 2010**

Sector Location	Sector Number	Hotel (ROOMS)				Schools (AC)				Commercial (AC)				Industrial (AC)				
		Approved 1985	Approved 2001	Previous Approved [B-A]	Proposed 2010 [C]	Cumulative Change [C-A]	Approved 1985	Approved 2001	Previous Approved [B-A]	Proposed 2010 [C]	Cumulative Change [C-A]	Approved 1985	Approved 2001	Previous Approved [B-A]	Proposed 2010 [C]	Cumulative Change [C-A]		
AREA 1																		
	Sector 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
	3	0	0	0	0	0	36.34	36.34	0	36.34	0	3.41	3.41	0	0	0	0	
	Subtotal	0.00	0.00	0.00	0.00	36.34	36.34	0.00	36.34	0.00	3.41	3.41	0.00	0.00	0.00	0.00		
AREA 2																		
	Sector 5	0	0	0	0	0	22.00	22.00	22.00	22.00	2.38	0	-2.38	0	0	0	0	
	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	9	0	0	0	0	11.00	0	-11.00	0	-11.00	14.00	14.00	0	14.00	0	0	0	
	10	0	0	0	0	0	0	0	0	0	64.13	71.47	7.34	71.47	7.34	0	0	
	11	0	0	0	0	0	0	0	0	0	3.22	3.22	3.22	3.22	3.22	0	0	
	13	0	0	0	0	0	0	0	0	0	0	0	0	-7.23	0	-7.23	-7.23	
	Subtotal	0.00	0.00	0.00	0.00	11.00	22.00	11.00	22.00	11.00	80.51	88.69	8.18	88.69	8.18	7.23	-7.23	
AREA 3																		
	Sector 4	0	0	0	0	0	0	0	0	0	0	5.85	5.85	5.85	5.85	5.85	0	0
	8	0	0	0	0	11.00	0	-11.00	0	-11.00	3.79	0	-3.79	0	-3.79	0	0	0
	12	0	400	400	400	0	0	0	0	0	0	0	0	0	0	0	0	0
	16	0	0	0	0	11.00	0	-11.00	0	-11.00	4.85	9.57	4.72	9.57	4.72	4.72	0	0
	Subtotal	0.00	400.00	400.00	400.00	22.00	0.00	-22.00	0.00	-22.00	8.64	15.42	6.78	15.42	6.78	0.00	0.00	0.00
AREA 4																		
	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	262.77	270.00	7.23
	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5.10	5.10
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	262.77	275.10	12.33
AREA 5																		
	Sector 18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	19					0	0	0	0	0	0	0	0	0	0	0	0	0
	20	0	0	0	0	29.00	0	-29.00	0	-29.00	0	0	0	0	0	0	0	0
	21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	22					0	0	0	0	0	0	0	0	0	0	0	0	0
	23	0	0	0	0	0	0	0	0	0	10.46	0	-10.46	0	-10.46	0	0	0
	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	29.00	0.00	-29.00	0.00	-29.00	10.46	0.00	-10.46	0.00	-10.46	0.00	0.00	0.00
Total Sectors		0.00	400.00	400.00	400.00	98.34	58.34	-40.00	58.34	-40.00	103.02	107.52	4.50	107.52	4.50	270.00	275.10	5.10

**EXHIBIT H**  
**CUMULATIVE CHANGE BY SECTOR**  
**Approved - 1985 and 2001, Proposed - 2010**

Sector Location	Sector Number	Baseball Stadium (AC)			Motorsport Facility (AC)			Hospital (AC)			Office (AC)		
		Approved 1985	[B-A]	Proposed 2010	Cumulative Change [C-A]	Approved 1985	[B-A]	Proposed 2010	Cumulative Change [C-A]	Approved 1985	[B-A]	Proposed 2010	Cumulative Change [C-A]
AREA 1	Sector 1	0	0	0	0	0	0	0	0	0	0	0	0
	2	0	0	0	0	0	0	0	0	0	0	0	0
	3	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AREA 2													
	Sector 5	0	0	0	0	0	0	0	0	0	0	0	0
	6	0	0	0	0	0	0	0	0	0	0	0	0
	7	0	0	0	0	0	0	0	0	0	0	0	0
	9	0	0	0	0	0	0	0	0	0	0	0	0
	10	0	0	0	0	0	0	0	0	0	0	0	0
	11	0	0	0	0	0	0	0	0	13.00	13.00	0	13.00
	13	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13.00	13.00	0.68	14.50
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13.82	14.50	0.68	0.68
AREA 3													
	Sector 4	0	0	0	0	0	0	0	0	0	0	0	0
	8	0	0	0	0	0	0	0	0	0	0	0	0
	12	0	0	0	0	0	0	0	0	0	0	0	0
	16	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AREA 4													
	14	0	0	0	0	0	0	0	0	0	0	0	0
	15	0	100	100	100	0	14.90	14.90	14.90	0	0	0	0
	Subtotal	0.00	100.00	100.00	100.00	0.00	14.90	14.90	14.90	0.00	0.00	0.00	0.00
		0.00	100.00	100.00	100.00	0.00	14.90	14.90	14.90	0.00	0.00	0.00	0.00
AREA 5													
	Sector 18	0	0	0	0	0	41.42	41.42	41.42	0	0	0	0
	19	0	0	0	0	0	80	80.00	140.00 *	0	0	0	0
	20	0	0	0	0	0	80	80	80.00	0	0	0	0
	21	0	0	0	0	0	51.58	51.58	51.58	0	0	0	0
	22	0	0	0	0	0	80	80.00	140.00 *	0	0	0	0
	23	0	0	0	0	0	80	80	80.00	0	0	0	0
	24	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	413.00	413.00	533.00	0.00	0.00	0.00	0.00
Total Sectors		0.00	100.00	100.00	100.00	0.00	427.90	427.90	547.90	13.00	13.00	0.68	14.50
		0.00	100.00	100.00	100.00	0.00	427.90	427.90	547.90	13.82	14.50	0.68	0.68

\* Land uses proposed for change between 2001 and 2010.

**EXHIBIT H**  
**CUMULATIVE CHANGE BY SECTOR**  
 Approved - 1985 and 2001, Proposed - 2010

Sector Location	Sector Number	Golf Course (AC)				Public Service (AC)					
		Approved 1985	Previous Approved Change	Proposed 2010	Cumulative Change	Approved 1985	Previous Approved Change	Proposed 2010	Cumulative Change		
AREA 1		[A]	[B]	[B-A]	[C]	[C-A]	[A]	[B]	[B-A]	[C]	[C-A]
	Sector 1	0	0	0	0	0	0	0	0	0	0
	2	0	0	0	0	0	0	0	0	0	0
	3	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AREA 2											
	Sector 5	0	0	0	0	0	0	0	0	0	0
	6	0	0	0	0	0	0	0	0	0	0
	7	0	0	0	0	0	6.53	0	-6.53	0	-6.53
	9	0	0	0	0	0	0	0	0	0	0
	10	0	0	0	0	0	0	0	0	0	0
	11	0	0	0	0	0	0	0	0	0	0
	13	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	6.53	0.00	-6.53	0.00	-6.53
AREA 3											
	Sector 4	0	0	0	0	0	0	0	0	0	0
	8	75.00	75.00	0	75.00	0	0	0	0	0	0
	12	75.00	75.00	0	75.00	0	0	0	0	0	0
	16	0	0	0	0	0	0	0	0	0	0
	Subtotal	150.00	150.00	0.00	150.00	0.00	0.00	0.00	0.00	0.00	0.00
AREA 4											
	14	0	0	0	0	0	0	0	0	0	0
	15	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AREA 5											
	Sector 18	0	0	0	0	0	0	0	0	0	0
	19	0	0	0	0	0	0	0	0	0	0
	20	0	0	0	0	0	0	0	0	0	0
	21	0	0	0	0	0	0	0	0	0	0
	22	0	0	0	0	0	0	0	0	0	0
	23	0	0	0	0	0	0	0	0	0	0
	24	0	0	0	0	0	0	0	0	0	0
	Subtotal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Sectors		150.00	150.00	0.00	150.00	0.00	6.53	0.00	-6.53	0.00	-6.53



**EXHIBIT I**  
**SUBSTANTIAL DEVIATION DETERMINATION CHART**

Type of Land Use	Change Category	Original Plan (1985)		Current Approved Plan (2001)		Previous Change (1985 to 2001)		Proposed Plan (2010)		Cumulative Change (1985 to 2010)		
		W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	Total
Residential	Number of dwelling units	9,339	5,126	9,439	443	100	(4,683)	9,439	439 *	100	(4,687)	(4,587)
Common Open Space	Acreage	79.66	5.00	44.87	555.40	(34.79)	550.40	44.87	555.40	(34.79)	550.40	515.61
Private Open Space	Acreage	2.21	1.45	2.21	0.00	0.00	(1.45)	2.21	0.00	0.00	(1.45)	(1.45)
Community Park	Acreage	0.00	186.30	47.77	42.98	47.77	(143.32)	47.77	42.98	47.77	(143.32)	(95.55)
Golf Course	Acreage	150.00	0.00	150.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	0.00
Schools	Acreage	58.34	40.00	58.34	0.00	0.00	(40.00)	58.34	0.00	0.00	(40.00)	(40.00)
Public Service	Acreage (Fire Stations)	6.53	0.00	0.00	0.00	(6.53)	0.00	0.00	0.00	(6.53)	0.00	(6.53)
Hospitals	Acreage	13.00	0.00	13.00	0.00	0.00	0.00	13.00	0.00	0.00	0.00	0.00
	Beds	127	0	127	0	0	0	127	0	0	0	0
Commercial	Acreage	87.71	15.31	97.95	9.57	10.24	(5.74)	97.95	9.57	10.24	(5.74)	4.50
	Floor space (gross sq ft)											
Office	Acreage	13.82	0.00	14.50	0.00	0.68	0.00	14.50	0.00	0.68	0.00	0.68
Industrial	Acreage	0.00	270.00	0.00	275.10	0.00	5.10	0.00	275.10	0.00	5.10	5.10
Hotel	Rooms	0	0	400	0	400	0	400	0	400	0	400
	Acreage	0.00	0.00	11.21	0.00	11.21	0.00	11.21	0.00	11.21	0.00	11.21
Baseball Facility	Seats	0.00	0.00	0.00	0	0.00	0	0.00	6,500	0.00	6,500	6,500
	Acreage	0.00	0.00	0.00	100.00	0.00	100	0.00	0.00	0.00	0.00	0.00
Motorsport Facility	Seats	0.00	0.00	0.00	40,000	0.00	40,000	0.00	79,612 *	0.00	79,612	79,612
	Acreage	0.00	0.00	0.00	427.90	0.00	427.90	0.00	120.00 *	0.00	120.00	120.00

\* Land uses proposed for change from 2001 to 2010.

**EXHIBIT J**

**ORDINANCES AND RESOLUTIONS**

**Ordinance No. 75-11-70**  
**Ordinance No. 76-02-9**  
**Resolution No. 79-10-32**  
**Ordinance No. 81-07-47**  
**Ordinance No. 84-05-33**  
**Ordinance No. 85-05-33**  
**Ordinance No. 85-05-34**  
**Ordinance No. 87-01-1**  
**Ordinance No. 94-05-32**  
**Ordinance No. 94-10-104**  
**Ordinance No. 99-05-29**  
**Ordinance No. 2001-12-36**

ORDINANCE NO. 75-11-70

AN ORDINANCE OF THE CITY OF HOMESTEAD  
ISSUING A DEVELOPMENT ORDER SUBJECT TO  
CHAPTER 380 OF THE FLORIDA STATUTES  
(1972) TO ROSE PARK ST. JAMES INVEST-  
MENTS LIMITED; ROSE PARK BLEEKER INVEST-  
MENTS LIMITED; THE MERIDIAN BUILDERS  
GROUP LIMITED; AND MARKBOROUGH PROPERTIES,  
LIMITED, D/B/A HOMESTEAD PROPERTIES,  
HEREINAFTER REFERRED TO AS APPLICANT;  
DESCRIBING THE PROPERTY SUBJECT TO THE  
DEVELOPMENT ORDER; SETTING FORTH THE  
REASONS FOR THE CONSIDERATION OF SAID  
PROCEDURE FOR ISSUING DEVELOPMENT ORDER;  
SETTING FORTH CONDITIONS TO WHICH SAID  
DEVELOPMENT ORDER SHALL BE SUBJECT;  
PROVIDING FOR THE TRANSMISSION OF THIS  
ORDINANCE WHEN ADOPTED TO THE APPROPRI-  
ATE LOCAL, COUNTY, STATE AND OTHER  
GOVERNMENTAL AGENCIES; PROVIDING FOR  
TRANSMISSION TO THE DEVELOPER AND  
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, ROSE PARK ST. JAMES INVESTMENTS LIMITED;  
ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS  
GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, d/b/a  
HOMESTEAD PROPERTIES, hereinafter referred to as "Applicant",  
is the owner and record title holder of a tract of land con-  
sisting of approximately 3,174.85 acres, located in Homestead,  
Florida, more particularly described in Exhibit "A" attached  
hereto and made a part hereof as though fully set forth; and,

WHEREAS, the Applicant has filed an application for  
rezoning to a Planned Unit Development district for its  
property, pursuant to Ordinance No. 75-03-17 of the City of  
Homestead, Florida; and,

WHEREAS, Applicant has applied for the issuance of a  
Development Order to permit a Development of Regional Impact,  
pursuant to Chapter 380, Florida Statutes (1972); and,

WHEREAS, the South Florida Regional Planning Council,  
as the Regional Planning Agency under Chapter 380, Florida  
Statutes, has held a hearing upon appropriate notice, all in  
accordance with Chapter 380, Florida Statutes, and has sub-  
mitted its Report and Recommendations on the Regional Impact of

proposed development to the City of Homestead; and,

WHEREAS, the City Council of the City of Homestead, pursuant to its City Charter and Ordinances, has held hearings on the application for rezoning to Planned Unit Development and upon the application for Development Order; and,

WHEREAS, pursuant to Section 380.06(11), Florida Statutes (1972), the City of Homestead, by and through its City Council, has considered whether, and the extent to which the development is consistent with local land development regulations and the Report and Recommendations of the South Florida Regional Planning Council submitted pursuant to Section 380.06(8), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That the City of Homestead has made certain findings of fact concerning the Report and Recommendations of the South Florida Regional Planning Council, and the responses thereto of the applicant, and has considered the balance of detriments and benefits of the project of the applicant, and herein sets forth its findings:

A. Pursuant to Section 380.06(11), Florida Statutes, the City of Homestead, in considering whether the proposed Homestead P.U.D. Development shall be approved, denied or approved subject to conditions, restrictions, or limitations, is required to consider, among other criteria, whether the development is consistent with the Report and Recommendations of the Regional Planning Agency (South Florida Regional Planning Council) submitted pursuant to Section 380.06(8), Florida Statutes. The Applicant has argued that the Report and Recommendations of the South Florida Regional Planning Council, which was submitted to the City of Homestead by letter dated October 7, 1975, is not fully in accord with the Regional Council's official action approving the Homestead P.U.D. subject to

conditions. It has been argued that the motion for approval did not include as conditions the four issues which were originally set forth in the Staff Report of the South Florida Regional Planning Council, as the bases for denial of the Homestead P.U.D. Development of Regional Impact. The City of Homestead, in the issuance of this Development Order, does not in any manner decide this issue, but leaves the matter for the South Florida Regional Planning Council to resolve upon review of the Development Order, following transmittal thereof, in accordance with Section 380.07(2), Florida Statutes. Rather, the City Council has evaluated and considered whether, and the extent to which, the Homestead P.U.D. Development is consistent with the Report and Recommendations of the Regional Planning Agency that was officially transmitted to it by letter dated October 7, 1975.

B. The City Council of the City of Homestead, Florida, in considering this matter, has had the benefit of extensive expert testimony, has reviewed the numerous exhibits presented both to it and to the South Florida Regional Planning Council, and, further, has had the benefit of the transcript of testimony of the October 6th, 1975, meeting before the South Florida Regional Planning Council. The City Council has considered in substantial detail both the Report of the South Florida Regional Planning Council, as officially transmitted, and the technical response to that report which was prepared by Post, Buckley, Schuh and Jernigan, Inc., Consulting Engineers for the Applicant.

C. Based upon the review of the matters presented, and considering all the testimony and evidence, the City Council for the City of Homestead, Florida, does hereby find and declare that approval of the proposed development would neither substantially nor unreasonably interfere, or be inconsistent with the regional concerns expressed in the

Report and Recommendations of the South Florida Regional Planning Council, and, to the contrary, would be compatible with the objectives of both applicable local development regulations and the Comprehensive Development Master Plan for Metropolitan Dade County, Florida, as adopted by Ordinance 75-22 of the Board of County Commissioners, for Metropolitan Dade County, Florida.

D. In making this determination, the City of Homestead has balanced both the detriments and benefits of the proposed development and finds that the probable net benefits from the development far exceed the probable net detriments.

E. In evaluating detriments and benefits, the City of Homestead finds that approval of such development, with the conditions contained in this Development Order, will enable a substantial segment of the anticipated population of the region to obtain reasonable access to housing, employment, educational and recreational opportunities and will not deny adequate facilities to the surrounding areas in respect to employment opportunities, housing, utilities services, religious facilities or other amenities related to the general welfare; that the development at the proposed location in Southern Dade County is especially appropriate in view of the available alternatives within and without the region and represents a fair and equitable share of the development of that type needed in the region; that development in the manner proposed will have a favorable impact on the environment and will not unduly burden water, sewer, solid waste disposal or other necessary public facilities; that the development will favorably affect other persons or property in the region and because of circumstances peculiar to the location, the effect is likely to be more beneficial than is ordinarily associated with the development of the type proposed; that the development will have a favorable impact on the economy of the region

and will

and will not adversely affect the provision of municipal or county services or unfavorably burden taxpayers in making provision therefor, and that the development will efficiently use and not unduly burden public or public-aided transportation or other facilities which have been developed or are to be developed within reasonably measurable planning periods.

Section 2. Approval of Development Order Subject To Conditions

Based upon the foregoing, the City Council of the City of Homestead does hereby approve the Homestead P.U.D. Development and, in conjunction with Ordinance No. 75-11-69 (Rezoning Ordinance to P.U.D.), does render its Development Order thereon subject to the following conditions, restrictions and limitations:

A. The applicant shall revise the project plan to provide a barrier around the entire perimeter of the site and along both sides of the canals within the site to elevations of not less than eight feet east of the five-foot inundation contour identified in the Dade County Environmental Protection Guide and to elevations of not less than six feet west of the five-foot inundation contour.

B. The applicant shall submit an acceptable agreement in writing to design the project water system as an integral part of the City of Homestead water system and shall phase the construction of such water system in accordance with the availability of water from the City of Homestead, as finally allocated by the Central and Southern Florida Flood Control District.

C. The applicant shall submit an acceptable agreement in writing that the project water and sewer services will remain an integral part of the City of Homestead water and sewer systems when the City becomes a participant in the regional water and sewer systems.



D. It is recognized that the City of Homestead has the right and authority to consider and evaluate the sufficiency of levels of transportation services and facilities prior to approving site or plot use plans for each phase or sequence of the development. To assist the City of Homestead in this endeavor, the applicant shall provide to the City and to the Dade County Metropolitan Transportation Planning Organization, a summary of the development proposed as well as estimates of both total and external trips to be generated. The City of Homestead, by and through its City Council, shall, in its consideration of site plans for phases of the development, consider whether, and the extent to which, the development of such phase would unduly burden the transportation facilities and/or services for the region. Further, in accordance with the commitment contained in the July 29, 1975 Addendum to the ADA, the applicant, in cooperation with the City of Homestead, shall consider providing lands on an exploratory basis for park and ride bus facility within the development. The exact site or sites would be determined in cooperation with the Metropolitan Dade County Transit Authority or equivalent agency.

E. The applicant and the City shall enter into an acceptable agreement, in writing, as to the dedication for all lands to be used for public purposes, and for the time of the dedication of these lands to the City of Homestead. The applicant understands and agrees that the method in which dedications are to be made for public uses and the location of said dedications have not been determined, but that determinations of these considerations shall be made prior to the approval of the submission of any plat for the development of the proposed project, or any portion thereof, in a form acceptable to the City of Homestead, and that the

form of dedication shall be set forth in a separate agreement in writing, executed by the applicant and the City of Homestead.

F. Prior to any permission to develop those parts of the proposed project adjacent to or affecting any of the remaining outparcels, the applicant shall provide the City of Homestead with written procedures and commitments that assure adequate drainage for those properties not owned by the applicant.

G. The applicant shall consult with the City of Homestead to incorporate the height and obstruction criteria as defined in Appendix "C" of the Homestead Air Force Base AICUZ Program into the City's zoning ordinance and any other applicable development regulations. The applicant shall not request building permits of the City of Homestead as to those structures affected until the recommended standards for design and construction defined in Appendix "D" of the Homestead Air Force Base AICUZ Program (March 1975, amended) have been implemented by the applicant to the maximum extent possible and practicable.

H. The applicant shall submit an acceptable agreement in writing to the City of Homestead establishing an overall goal of thirty percent reduction in residential electrical energy consumption.

I. As agreed to by the applicant, ten percent of the total number of residential units approved for the Homestead Properties' project shall ultimately be offered to provide housing for low and moderate income families. The manner and method by which this shall be accomplished shall be established by covenant filed of record prior to approval of any phase of development by the City of Homestead.

J. The City of Homestead and the applicant shall explore the creation of a new communities district, under

Chapter 75-204, Florida Statutes (1975), or other acceptable alternatives, in order to operate and finance the cost, delivery and maintenance of necessary pre-development Improvement of Water, Sewer, Road and Drainage Systems and community facilities consistent with existing local facilities.. The City of Homestead and the applicant shall periodically consider whether and the extent to which, the Homestead P.U.D. Development is having a favorable or unfavorable fiscal impact on the region and shall consider and evaluate the use of such new communities districts as a means of offsetting unfavorable fiscal impact, if any.

Section 3. Pursuant to Section 380.07, Florida Statutes, a copy of this Development Order permitting and approving a Development of Regional Impact, subject to conditions, shall be transmitted to the State Land Planning Agency, the South Florida Regional Planning Council and the Developer of the property affected by this Order. This Order, however, shall not be considered "rendered", within the <sup>AN</sup> meaning of Chapter 380.07, Florida Statutes, until such time as it is effective as an ordinance under the Charter for the City of Homestead, Florida.

PASSED AND ADOPTED this 1<sup>st</sup> day of December, 1975.

Fred Rhodes Jr.  
Mayor-Councilman

ATTEST:

APPROVED AS TO FORM AND CORRECTNESS:

Edna B. Linder  
City Clerk

Michael E. Watkins  
City Attorney

# EXHIBIT A

## A TRACT OF LAND

DESCRIBED AS PORTIONS OF SECTIONS 16, 17, 19, 20, 21, 22, 23, 26, 27, 28 AND 29, IN TOWNSHIP 57 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF THE N.E.  $\frac{1}{4}$  OF SAID SECTION 19; THENCE N88°35'50"E ALONG THE NORTH LINE OF SAID SECTION 19 FOR 2715.72 FEET TO THE NORTHEAST CORNER OF SAID SECTION 19; THENCE N88°26'49"E ALONG THE NORTH LINE OF THE NW  $\frac{1}{4}$  OF SAID SECTION 20 FOR 2720.41 FEET TO THE NORTHEAST CORNER OF SAID NW  $\frac{1}{4}$ , THE SAME BEING THE SOUTHWEST CORNER OF THE SE  $\frac{1}{4}$  OF SAID SECTION 17; THENCE N0°22'40"W ALONG THE WEST LINE OF SAID SE  $\frac{1}{4}$  FOR 998.09 FEET: THENCE N89°41'28"E ALONG THE NORTH LINES OF LOTS 15 THROUGH 20 INCLUSIVE, OF BLOCK 4, OF SAID SECTION 17 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND THE WESTERLY EXTENSION OF SAID LINES, FOR 1357.39 FEET TO THE NORTHEAST CORNER OF SAID LOT 20, THE SAME BEING THE SOUTHWEST CORNER OF LOT 27 OF SAID BLOCK 4; THENCE N0°27'49"W ALONG THE WEST LINE OF SAID LOT 27 FOR 333.10 FEET TO THE NORTHWEST CORNER OF SAID LOT 27; THENCE N89°40'28"E ALONG THE NORTH LINE OF SAID LOT 27 AND ITS EASTERLY EXTENSION FOR 1356.89 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 16; THENCE N89°37'26"E ALONG THE NORTH LINES OF LOTS 14 AND 27 OF BLOCK 3, SECTION 16, OF SAID PLAT OF, MIAMI LAND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES, FOR 2667.41 FEET TO A POINT ON THE EAST LINE OF THE SW  $\frac{1}{4}$  OF SAID SECTION 16; THENCE N89°34'06"E ALONG THE NORTH LINE OF LOT 14 OF BLOCK 4 OF SAID SECTION 16, OF THE SAID PLAT, MIAMI LAND DEVELOPMENT COMPANY AND ITS WESTERLY EXTENSION, FOR 1334.34 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S0°22'18"E ALONG THE EAST LINES OF LOTS 14 AND 20 OF SAID BLOCK 4 OF SECTION 16, AND THEIR SOUTHERLY EXTENSION FOR 1332.79 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE N89°31'49"E ALONG THE SAID SOUTH LINE OF SECTION 16 FOR 444.42 FEET; THENCE S0°28'57"E ALONG THE EAST LINE OF LOT 5 OF BLOCK 1 OF SAID SECTION 21 OF THE PLAT, MIAMI LAND DEVELOPMENT COMPANY AND ITS NORTHERLY EXTENSION FOR 1002.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE N89°31'58"E ALONG THE NORTH LINE OF LOT 28 OF BLOCK 1 OF SAID SECTION 21, OF THE PLAT, MIAMI LAND DEVELOPMENT COMPANY AND ITS EASTERLY EXTENSION FOR 889.02 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 21;

THENCE S0°29'34"E ALONG SAID EAST LINE OF SECTION 21 FOR 668.13 FEET; THENCE N89°34'52"E ALONG THE NORTH LINES OF LOTS 15 THROUGH 26 INCLUSIVE OF BLOCK 2 OF SAID SECTION 22, OF THE PLAT, MIAMI LAND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES FOR 2677.70 FEET TO A POINT ON THE EAST LINE OF THE NW¼ OF SAID SECTION 22; THENCE S0°26'43"E ALONG THE SAID EAST LINE OF THE NW¼ FOR 1002.52 FEET TO THE SOUTHEAST CORNER OF SAID NW¼; THENCE N89°35'06"E ALONG THE NORTH LINE OF THE SE¼ OF SAID SECTION 22 FOR 2671.97 FEET TO THE NORTHEAST CORNER OF THE SAID SE¼ OF SECTION 22; THENCE N89°31'07"E ALONG THE NORTH LINE OF THE SW¼ OF SAID SECTION 23 FOR 2680.97 FEET TO THE NORTHEAST CORNER OF SAID SW¼; THENCE S0°19'11"E ALONG THE EAST LINE OF SAID SW¼ OF SECTION 23 FOR 2708.00 FEET TO THE SOUTHEAST CORNER OF SAID SW¼; THENCE S0°02'12"W ALONG THE EAST LINE OF THE NW¼ OF SAID SECTION 26, FOR 2668.75 FEET TO THE SOUTHEAST CORNER OF THE SAID NW¼; THENCE S89°23'23"W ALONG THE SOUTH LINE OF THE SAID NW¼ FOR 2678.34 FEET TO THE SOUTHWEST CORNER OF SAID NW¼; THENCE S89°39'32"W ALONG THE SOUTH LINE OF THE NE¼ OF SAID SECTION 27, FOR 2657.97 FEET TO THE SOUTHWEST CORNER OF THE SAID NE¼; THENCE S89°39'37"W ALONG THE SOUTH LINE OF THE NW¼ OF SAID SECTION 27 FOR 2657.98 FEET TO THE SOUTHWEST CORNER OF SAID NW¼; THENCE S89°34'33"W ALONG THE SOUTH LINE OF THE NE¼ OF SAID SECTION 28, FOR 2668.66 FEET TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE S89°34'41"W ALONG THE SOUTH LINE OF THE NW¼ OF SAID SECTION 28, FOR 2668.57 FEET TO THE SOUTHWEST CORNER OF SAID NW¼; THENCE S89°26'43"W ALONG THE SOUTH LINE OF THE NE¼ OF SAID SECTION 29, FOR 2709.24 FEET TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE S89°26'35"W ALONG THE SOUTH LINE OF THE NW¼ OF SAID SECTION 29, FOR 2712.39 FEET TO THE SOUTHWEST CORNER OF SAID NW¼; THENCE N0°28'47"W ALONG THE WEST LINE OF THE SAID NW¼ OF SECTION 29, FOR 2673.04 FEET TO THE NORTHWEST CORNER OF SAID SECTION 29; THENCE S89°30'40"W ALONG THE SOUTH LINE OF SAID SECTION 19 FOR 2042.06 FEET; THENCE N0°31'42"W ALONG THE CENTERLINE OF CONNECTICUT STREET, AS SHOWN ON THE REVISED PLAT, FLORIDA CITY PARK AS RECORDED IN PLAT BOOK 33, AT PAGE 48 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND THE WEST LINE OF LOT 5, BLOCK 4, SECTION 19, OF SAID PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND THE NORTH AND SOUTH EXTENSION OF SAID LINE, FOR 2684.59 FEET TO A POINT ON THE SOUTH LINE OF THE NE¼ OF SECTION 19; THENCE S89°12'01"W ALONG THE SAID SOUTH LINE OF THE NE¼ OF SECTION 19 FOR 679.17 FEET TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE N0°36'48"W ALONG THE WEST LINE OF SAID NE¼ OF SECTION 19 FOR 2617.64 FEET TO THE POINT OF BEGINNING. LESS THE FOLLOWING DESCRIBED LOTS LYING IN THE SAID PLAT; MIAMI LAND DEVELOPMENT COMPANY: LOTS 15, 16 AND THAT PORTION OF LOT 17, BLOCK 4, SECTION 17, LYING WEST OF A LINE THAT IS 527.00 FEET EAST AND PARALLEL TO THE WEST LINE OF THE SE¼ OF SAID SECTION 17; THAT PORTION OF LOTS 1, 2 AND 3, BLOCK 1, SECTION 19, LYING SOUTHERLY OF THE RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE; THAT PORTION OF LOTS 2 AND 3, BLOCK 1, SECTION 19 LYING NORTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; THAT PORTION OF LOT 4, BLOCK 1, SECTION 19, LYING NORTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 5, BLOCK 1, SECTION 19, LESS THE SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 6,



9, 14 AND 16, BLOCK 1, SECTION 19; THAT PORTION OF LOT 7; BLOCK 1, SECTION 19, LYING NORTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 8, BLOCK 1, SECTION 19, LESS SAID RIGHT-OF-WAY OF THE TURNPIKE; THAT PORTION OF LOT 10, BLOCK 1, SECTION 19, LYING SOUTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOTS 4 AND 5, BLOCK 4, SECTION 19; THE WEST  $\frac{1}{2}$  OF LOT 6, BLOCK 2, SECTION 20; LOT 7, BLOCK 2, SECTION 20; LOT 1, THE NORTH  $\frac{1}{2}$  OF LOT 2, THE SOUTH  $\frac{1}{2}$  OF LOT 2 AND LOT 16, BLOCK 4, SECTION 20; LOT 14, BLOCK 3, SECTION 21; LOTS 7 AND 8, BLOCK 1, SECTION 27; LOT 4, BLOCK 1, SECTION 29; THE NORTH 450 FEET OF THE WEST 330 FEET OF LOT 6, BLOCK 1, SECTION 29, LESS DEDICATED RIGHT-OF-WAY; THE SAME BEING THE NORTH 495 FEET OF THE WEST 360 FEET OF THE N.E.  $\frac{1}{4}$  OF SAID SECTION 29 LESS DEDICATED RIGHT-OF-WAY; THE WEST  $\frac{1}{2}$ , LOT 1, BLOCK 2, SECTION 29; THE EAST  $\frac{1}{2}$  OF LOT 1 AND THE NORTH 220 FEET OF THE EAST  $\frac{1}{2}$  OF LOT 16, BLOCK 2, SECTION 29; LOT 16, LESS THE NORTH 220 FEET OF THE EAST  $\frac{1}{2}$ , OF BLOCK 2, SECTION 29; AND LESS THE FOLLOWING DESCRIBED LOTS, LYING IN THE PLAT, FLORIDA CITY PARK, AS RECORDED IN PLAT BOOK 16 AT PAGE 53 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA: LOTS 6 AND 7, BLOCK 1; LOTS 29 AND 30, BLOCK 5; LOTS 2, 3, 4, 8, 11, 12 AND 13, BLOCK 9; LOTS 8, 9, 10, 13 AND 14, BLOCK 10; LOTS 1, 2, 7, 8 AND 9, BLOCK 11; LOTS 6 TO 11 INCLUSIVE AND LOTS 13 AND 14, BLOCK 12; AND LESS THE FOLLOWING DESCRIBED TRACTS, LYING IN THE REVISED PLAT, FLORIDA CITY PARK AS RECORDED IN PLAT BOOK 33, AT PAGE 48 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA: TRACTS 1 THROUGH 8 INCLUSIVE, TRACTS 9A AND 9B, TRACTS 10 THROUGH 16 INCLUSIVE, AND LESS ALL ROADS, STREETS, AVENUES AND CANAL SHOWN ON SAID PLATS FLORIDA CITY PARK AND REVISED PLAT FLORIDA CITY PARK; AND LESS THAT PORTION OF THE RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE LYING IN THE NE  $\frac{1}{4}$  OF SAID SECTION 19.

STATE OF FLORIDA,  
COUNTY OF DADE.

Personally appeared before me the undersigned authority, George E. Botsko, to me well known who being duly sworn deposes and says that he is the General Manager of the South Dade News Leader, a newspaper of general circulation, published at Homestead, Dade County, Florida. Affiant further says that the above named newspaper has continuously published daily, in Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

the South Dade News Leader.

on the following days:  
November 14, 1975

Signed, George E. Botsko  
Sworn to and subscribed before me this 17th day of November, 1975, A. D.

Notary Public State of Florida at Large  
My commission expires  
NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES JAN. 3, 1978  
BONDED THRU GENERAL INSURANCE UNDERWRITERS

NOTICE OF PROPOSED  
ENACTMENT OF ORDINANCE

NOTICE is hereby given that the City Council of the City of Homestead, Florida, proposes to enact the following described ordinance in the City Council Chambers, City Hall, 790 N. Homestead Blvd., Homestead, Florida, at 7:30 P.M. o'clock on December 1, 1975, which ordinance is entitled:

ORDINANCE NO. 75-11-70

AN ORDINANCE OF THE CITY OF HOMESTEAD ISSUING A DEVELOPMENT ORDER SUBJECT TO CHAPTER 300 OF THE FLORIDA STATUTES (1972), TO ROSE PARK, ST. JAMES, TRAPESMENT, LIMITED, ROSE PARK, LIMITED, INVESTMENTS, LIMITED, THE INVESTMENT BUILDERS GROUP, LIMITED, AND MARK BOROUDH PROPERTIES, LIMITED, D.B.A. HOMESTEAD, PROPERTIES, HEREINAFTER REFERRED TO AS APPLICANT; DESCRIBING THE PROPERTY SUBJECT TO THE DEVELOPMENT ORDER; SETTING FORTH THE REASONS FOR THE CONSIDERATION OF SAID PROCEDURE FOR ISSUING DEVELOPMENT ORDER; SETTING FORTH CONDITIONS TO WHICH SAID DEVELOPMENT ORDER SHALL BE SUBJECT; PROVIDING FOR THE TRANSMISSION OF THIS ORDINANCE WHEN ADOPTED TO THE APPROPRIATE LOCAL, COUNTY, STATE AND OTHER GOVERNMENTAL AGENCIES; PROVIDING FOR TRANSMISSION TO THE DEVELOPER AND PROVIDING FOR AN EFFECTIVE DATE.

A COPY of the proposed ordinance may be inspected by the public at the office of the City Clerk at the above address and interested parties may appear at the above meeting to be heard with respect to the proposed ordinance.

EDNA B. PINDER  
City Clerk  
Nov. 14, 1975

1042  
2-9-76  
3rd & final  
2-23-76

ORDINANCE NO. 76-02-9

AN ORDINANCE OF THE CITY OF HOMESTEAD AMENDING ORDINANCE NO. 75-11-70, SAID ORDINANCE ISSUING A DEVELOPMENT ORDER SUBJECT TO CHAPTER 380 OF THE FLORIDA STATUTES (1972) TO ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, D/B/A HOMESTEAD PROPERTIES, HEREINAFTER REFERRED TO AS APPLICANT; DESCRIBING THE PROPERTY SUBJECT TO THE DEVELOPMENT ORDER; SETTING FORTH THE REASONS FOR THE CONSIDERATION OF SAID PROCEDURE FOR ISSUING DEVELOPMENT ORDER; SETTING FORTH CONDITIONS TO WHICH SAID DEVELOPMENT ORDER SHALL BE SUBJECT; PROVIDING FOR THE TRANSMISSION OF THIS ORDINANCE WHEN ADOPTED TO THE APPROPRIATE LOCAL, COUNTY, STATE AND OTHER GOVERNMENTAL AGENCIES: PROVIDING FOR TRANSMISSION TO THE DEVELOPER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Homestead has previously issued a Development Order to ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, d/b/a HOMESTEAD PROPERTIES, under Ordinance No. 75-11-70; and,

WHEREAS, certain of the provisions contained in Ordinance No. 75-11-70 have been the subject of disagreement between the South Florida Regional Planning Council, "Applicant" and the City of Homestead; and,

WHEREAS, pursuant to conference between staff of the South Florida Regional Planning Council, the "Applicant" and the City of Homestead, a certain stipulation of agreement to condition Development Order and dismiss appeal has been approved for execution by all parties amending Section 2 of Ordinance No. 75-11-70.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That Section 2 of Ordinance No. 75-11-70 be, and the same is hereby amended in its entirety to read as follows:

Section 2.      Approval of Development Order Subject To Conditions

Based upon the foregoing, the City Council of the City of Homestead does hereby approve the Homestead P.U.D. Development and, in conjunction with Ordinance No. 75-11-69 (Rezoning Ordinance to P.U.D.), does render its Development Order thereon subject to the following conditions, restrictions and limitations:

A.    REVIEW OF DEVELOPMENT

1.    The Master Plan for Homestead Properties is consistent with the Dade County Comprehensive Development Master Plan and the City of Homestead has approved the Master Plan for Planned Unit Development (PUD) zoning. The Master Plan establishes an overall gross residential density of 4.5 units per acre and permits the construction of no more than 14,283 dwelling units at final build-out.

2.    It is necessary to assure that the development of Homestead Properties and the construction of the 14,283 units does not adversely impact on the Region's environment, natural resources, economy and housing supply or inefficiently use or unduly burden public facilities and transportation in the Region. This is best accomplished by coordinating the applicant's programmed sequence of development of the project and phased construction of the units with the timely provision of supporting public facilities and services.

B.    SURFACE WATER

The applicant shall revise the project plan to provide appropriate measures to prevent entrapment of tidal flood waters resulting from a 100 year storm event in the project lake system. Prior to approval of any project phase or sequence for the development site by the City of Homestead, the Governing Board of the Central and Southern Florida Flood Control District must have granted:

- (1) an Order granting conceptual approval of the surface water management system for the entire project, and
- (2) a Surface Water Management Permit, pursuant to Chapter 373, Part IV, Florida Statutes, for the particular project phase in which the plat is located.

C. WATER USE

The applicant shall design the project water system as an integral part of the City of Homestead water system. Prior to issuance of development permits by the City of Homestead for all portions of the project water system, subsequent to the first phase of development, the City of Homestead must receive a Water Use Permit, pursuant to Chapter 373, Part II, Florida Statutes, from the Governing Board of the Central and Southern Florida Flood Control District (C&SFFCD). Approval by the City of Homestead of each phase of the water system, subsequent to the first phase of development, will be given only upon conformance with the allocation of water granted to the City by the C&SFFCD.

Any development approval for the project subsequent to the first phase of development must tie the development phasing of the project to the availability of water from the City of Homestead as allocated by the C&SFFCD; provided that prior approval of each phase, including the first phase of development, the applicant must provide the Homestead City Council, the C&SFFCD and the South Florida Regional Planning Council with a summary of the total amount of development proposed within that particular phase and an estimate of the water demand to be generated. After analysis by the City of Homestead and the C&SFFCD, should a determination be made that the projected water demand of the proposed phase, together with the projected water demand of the remaining portion of

the City's system, exceed the allocation received at that time by the City from the C&SFFCD, the City shall withhold issuance of building permits until an additional allocation has been received by the City from the C&SFFCD.

D. SEWER

The applicant shall design the project sewer service as an integral part of the City of Homestead sewer system. Development approval for each project phase must tie to the availability of sewer service capacity on a local or regional basis. Prior to City approval of each phase of the project, the applicant must provide the Homestead City Council, Dade County and the South Florida Regional Planning Council with a summary of the total amount of development proposed within that particular phase, an estimate of the sewer demand to be generated, and of the available excess sewerage works capacity available or programmed. Approval by the City of Homestead of each phase shall be given only if sewer capacity as aforesaid is available and allocated for such phase or is planned and programmed.

E. TRANSPORTATION

1. It is recognized that the City of Homestead has the right and authority to consider and evaluate the sufficiency of levels of transportation services and facilities prior to approving site or plot use plans for each phase or sequence of the project. To assist the City of Homestead in this endeavor, the applicant shall provide to the City, the South Florida Regional Planning Council and to the Dade County Metropolitan Transportation Planning Organization (MPO) (except for Phase I of the development which contains 2,597 dwelling units), a summary of the development proposed as well as estimates of both total and external trips to be generated. Prior to approval of the second phase and each phase thereafter, the MPO shall submit reports and recommendations to the



City of Homestead and the South Florida Regional Planning Council on whether the future phased construction of dwelling units in subsequent planning sequences will unduly burden the transportation facilities and/or services of the Region. The City of Homestead, by and through its City Council, shall, in its consideration of each planning sequence (Detailed Site Plan Review), take into consideration the recommendation of the MPO; in addition to all other evidence of record pertaining to transportation services and facilities.

2. After review, should the impact of the proposed future phased construction of dwelling units be shown to deteriorate transportation service below level of service "C" on the regional and other principal roads within five (5) miles of the project -- including the Homestead Extension of Florida's Turnpike, U.S. 1, Krome Avenue, North Canal Drive, Palm Avenue, Kingman Road and Newton Road (when built), and Tallahassee Road -- the City of Homestead shall not issue building permits for dwelling units until roadway improvements, which would ameliorate deficiencies, have been committed. For purposes of this section, any voluntary reduction or limitation on building permits for dwelling units imposed by the applicant shall be taken into account in determining the impact of "proposed future phased construction of dwelling units".

3. Further, in accordance with the commitment contained in the July 29, 1975 Addendum to the ADA, the applicant, in cooperation with the City of Homestead, shall consider providing lands on an exploratory basis for park and ride bus facility within the development. The exact site or sites would be determined in cooperation with the Metropolitan Dade County Transit Authority or equivalent agency.

4. The applicant shall design and construct Kingman Road to two lanes, from the north boundary of the

development to Campbell Drive, in accordance with uniform and current Dade County specifications and standards; said above described portion of Kingman Road to be constructed prior to the issuance of Certificate of Occupancy in Phase II of the development.

F. DEDICATIONS

The applicant shall dedicate to the appropriate governmental agencies those lands to be used for public purposes, including school sites, as are specified in the ADA and in the Master Plan for Development, as approved by the Homestead City Council in accordance with Ordinance 75-03-12 of the City of Homestead. The applicant understands and agrees that the method in which dedications are to be made for public uses and the exact size and location of said dedications have not been determined, but that determination of these considerations shall be made prior to the approval of the submission of any plat for the development of the proposed project, or any portion thereof, in a manner acceptable to the City of Homestead or other appropriate governmental agency. All lands to be dedicated to the School Board shall be filled to flood criteria elevations and provided with water and sewer facilities.

G. OUTPARCELS

Prior to approval by the City of Homestead of plats for any phase of the development in which an outparcel is located, the applicant must receive a Surface Water Management Permit for that phase, pursuant to Chapter 373, Part IV, Florida Statutes, from the Governing Board of the Central and Southern Florida Flood Control District.

H. AICUZ COMPLIANCE

The City of Homestead shall incorporate the height and obstruction criteria as defined in Appendix "C" of the Homestead Air Force Base AICUZ Program into the City's zoning

ordinance and any other applicable development regulations. The applicant shall not request building permits of the City of Homestead as to those structures affected until the recommended standards for design and construction defined in Appendix "D" of the Homestead Air Force Base AICUZ Program (March 1975, amended) have been implemented by the applicant and the City.

I. ENERGY

The applicant shall incorporate construction improvements to the maximum extent practicable to achieve an overall goal of thirty percent reduction in residential electrical energy consumption. An annual report of achievements, designs and programs shall be submitted by the applicant to the City of Homestead and the South Florida Regional Planning Council.

J. LOW AND MODERATE INCOME HOUSING

As agreed to by the applicant, ten percent of the total number of residential units approved for the Homestead Properties' project shall ultimately be offered to provide housing for low and moderate income families. The manner and method by which the applicant shall meet this condition shall be established by covenant filed of record prior to approval of any phase of development by the City of Homestead. A copy of such covenant shall be delivered to the South Florida Regional Planning Council prior to recordation thereof.

The terms "low and moderate income housing" shall mean residential units which are available for rent, lease or sale and purchase at a rental, lease or sale price meeting the minimum standards for low and moderate income housing as established by the then current standards for Dade County, Florida published by the Department of Housing and Urban Development of the Federal Government in the Federal Register.

K. FISCAL IMPACT

The City of Homestead and the applicant shall explore

within six (6) months following the final adoption of the Development Order the creation of a new communities district, under Chapter 75-204, Florida Statutes (1975), or other acceptable alternative, in order to operate and finance the cost, delivery and maintenance of necessary pre-development improvement of water, sewer, road and drainage systems and other necessary community facilities and services. The City of Homestead and the applicant shall biannually consider (triannually after the first six years) whether and the extent to which, the Homestead P.U.D. Development is having a favorable or unfavorable fiscal impact on the Region and shall consider and evaluate the use of such new communities' districts as a means of offsetting unfavorable fiscal impact, if any. In making its determination, the City of Homestead shall apply, in addition to other criteria, any uniform standard related thereto as may be adopted by the South Florida Regional Planning Council in accordance with Chapter 120, Florida Statutes.

L. OTHER CONDITIONS

1. Any substantial deviation from the terms of the Application for Development Approval, the Development Order or the Stipulation previously executed by the City, Applicant, and South Florida Regional Planning Council on February 9, 1976, shall require the filing, review and approval of a separate Application For Development Approval in accordance with Section 380.06(6), Florida Statutes.

2. The Development Order and Stipulation of Agreement to Condition Development Order shall remain in effect for a minimum period of two years from and after the date of its rendition. In the event the developer has not commenced physical development of a portion of the lands encompassed herein, then this Development Order and Stipulation of Agreement to Condition Development Order will expire two (2) years from the date of its rendition.

PASSED AND ADOPTED this 23<sup>rd</sup> day of February.

1976.

C. Marshall Horne  
MAYOR-COUNCILMAN

ATTEST:

APPROVED AS TO FORM AND CORRECTION

Edna B. Pinder  
City Clerk

Michael E. Watkins  
City Attorney

CERTIFICATE OF CLERK

I HEREBY CERTIFY that the above and foregoing Ordinance No. 76-02-9 was duly passed and adopted by the City Council of the City of Homestead, Dade County, Florida, on the 23rd day of February, 1976.

Edna B. Pinder  
City Clerk

THIS INSTRUMENT WAS PREPARED BY  
MICHAEL E. WATKINS  
TURNER, HODSON & WATKINS, ATTORNEYS  
830 NORTH KROME AVENUE  
HOMESTEAD, FLORIDA

96-02-9

NOTICE OF PROPOSED  
ENACTMENT OF ORDINANCE

NOTICE IS HEREBY GIVEN that the City Council of the City of Homestead, Florida, proposes to enact the following described ordinance: The City Council Chamber, City Hall, 790 N. Homestead Blvd., Homestead, Florida, at 7:30 P.M. of clock on Feb. 23, 1976, which ordinance is entitled:

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HOMESTEAD AMENDING ORDINANCE NO. 75-11-76, SAID ORDINANCE ISSUING A DEVELOPMENT ORDER SUBJECT TO CHAPTER 380 OF THE FLORIDA STATUTES (1972) TO ROSE PARK ST. JAMES INVESTMENTS LIMITED, ROSE PARK BLEEKER INVESTMENTS LIMITED, THE MERIDIAN BUILDERS GROUP LIMITED, AND MARKBOROUGH PROPERTIES LIMITED, D/A HOMESTEAD PROPERTY TO A LATER REFERRED TO AS APPLICANT, DESCRIBING THE DEVELOPMENT ORDER: SETTING FORTH THE REASONS FOR THE CONSIDERATION OF SAID DEVELOPMENT ORDER; SETTING FORTH CONDITIONS TO WHICH SAID DEVELOPMENT ORDER SHALL BE SUBJECT; PROVIDING FOR THE TRANSMISSION OF THIS ORDINANCE WHEN ADOPTED TO THE APPROPRIATE LOCAL, COUNTY, STATE AND OTHER GOVERNMENTAL DEVELOPER AND PROVIDING FOR AN EFFECTIVE DATE.

A COPY of the proposed ordinance may be inspected by the public at the office of the City Clerk at the above address and interested parties may appear at the above meeting to be heard with respect to the proposed ordinance.

Feb. 9, 1976

EDNA B. PINDER  
City Clerk

STATE OF FLORIDA,  
COUNTY OF DADE.

Personally appeared before me the undersigned authority, George E. Botisko, to me well known who being duly sworn deposes and says that he is the General Manager of the South Dade News Leader, a newspaper of general circulation, published at Homestead, Dade County, Florida. Affiant further says that the above named newspaper has continuously published daily, in Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

the South Dade News Leader

on the following days:  
February 9, 1976

Signed George E. Botisko  
Sworn to and subscribed before me this 9 day of February 1976 A.D.

Notary Public State of Florida at Large  
My commission expires  
NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES JAN. 3, 1978  
BONDED THRU GENERAL INSURANCE UNDERWRITERS



RESOLUTION NO. 75-10-32

A RESOLUTION OF THE CITY OF HOMESTEAD  
ADOPTING CERTAIN CHANGES IN THE  
MASTER PLAN FOR THE DEVELOPMENT OF  
VILLAGES OF HOMESTEAD AND DECLARING  
SAID CHANGES NOT TO BE A MATERIAL OR  
SIGNIFICANT DEVIATION IN THE OVERALL  
MASTER PLAN.

WHEREAS, Villages of Homestead has petitioned the Planning and Zoning Board of the City of Homestead and the City Council of the City of Homestead for certain changes in the Master Plan for the development of the Villages of Homestead, and

WHEREAS, the Planning and Zoning Board has recommended same to the City of Homestead, and

WHEREAS, the City Council of the City of Homestead hereby finds and declares that the proposed changes to the Master Plan of Homestead Properties, Inc., contained herein and being the subject hereof, do not constitute a substantial deviation from the terms of the original approval and development order issued by the City Council to Homestead Properties, Inc., pursuant to Section 380.06 (7) (g) (h), Florida Statutes; and

WHEREAS, the City Council of the City of Homestead does hereby find and declare that the changes proposed by Homestead Properties, Inc. in their Master Plan do not constitute a significant change in the approval heretofore given by the City Council under and pursuant to Section 31A-100 of the Code of the City of Homestead.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA: ✓

Section 1. That the changes as submitted in the Master Plan heard before the Planning and Zoning Board on May 24, 1979, bearing Public Hearing No. 79-35, be and the same are hereby approved as follows:

A. A change in the location of the golf course on the overall Master Plan.

B. The elimination of S.W. 147th Avenue as it runs on the east side of the new location of the golf course in said project.

C. A re-balancing of the density of the total project consistent with the policy previously approved by the Planning and Zoning Board and the City Council of the City of Homestead with the overall density not to exceed two hundred (200) additional units for the total project area.

D. A relocation of certain recreational areas including the formation of a large approximately one hundred (100) acre lake on the northeast side of the newly located golf course.

E. Relocation of the industrial area.

Section 2. That the above changes in the Master Plan be and the same are hereby approved by the City Council of the City of Homestead with the understanding and belief of the City Council of the City of Homestead that these changes do not constitute a significant change in the overall Master Plan for the development as previously submitted by the developer.

PASSED AND ADOPTED this 1st day of October, 1979.

D. R. Linn  
Mayor-Councilman

ATTEST:

APPROVED AS TO FORM & CORRECTNESS:

Edna B. Rinder  
City Clerk

[Signature]  
City Attorney

CERTIFICATE OF CLERK

I HEREBY CERTIFY that the above and foregoing Resolution No. 79-10-32 was duly passed and adopted by the City Council of the City of Homestead the 1st day of October, 1979.

Edna B. Rinder  
City Clerk

DEVELOPMENT ORDER ORDINANCE NO. 81-07-47

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, ADOPTING CERTAIN CHANGES IN THE MASTER PLAN, AS AMENDED, FOR THE DEVELOPMENT OF THE VILLAGES OF HOMESTEAD REFERENCE INDUSTRIAL PARK USAGE AND DECLARING SAID CHANGES NOT TO BE A MATERIAL OR SIGNIFICANT DEVIATION IN THE OVERALL MASTER PLAN THEREOF.

WHEREAS, the Villages of Homestead has petitioned the Planning and Zoning Board of the City of Homestead and the City Council of the City of Homestead for certain changes in the Master Plan, as amended, for the development of the Villages of Homestead, and

WHEREAS, the Planning and Zoning Board has recommended same to the City of Homestead by virtue of approval of Public Hearing No. 24 with conditions hereinafter referred to, and

WHEREAS, the City Council does find and determine that the proposed land use revisions to the Villages of Homestead Master Development Plan, as amended, as described by the applicant's impact study, entitled Villages of Homestead Impact Study Revisions to Master Development Plan, bearing date of May 22, 1981, do not constitute a substantial deviation to the previously approved development of regional impact. In making this determination, the city Council has reviewed the proposed changes, pursuant to the criteria set forth in Section 380.06(17) Florida Statutes 1980 on record, and finds that the proposed revisions do not create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the City of Homestead or the South Florida Regional Planning Council, and

WHEREAS, the City Council does find and determine that the proposed land use revisions to the Villages of Homestead Master Development Plan, as amended, as set forth, do not constitute a significant change in the approved Master Development Plan, as amended, and as provided in Section 31A-100 of the Code

Laws of the City of Homestead..

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

1. That the City Council approves the Proposed Revisions to the Villages of Homestead Master Development Plan, as amended, and determine that the approved Master Development Plan, as amended, shall henceforth be referred to as "Homestead Properties Master Development Plan-Villages of Homestead, Prepared by Environmental Planning and Design, and Post, Buckley, Schuh and Jernigan, Inc., bearing date of May 22, 1981.

2. That the City's Comprehensive Plan be and is herewith amended to reflect such revisions to the Villages of Homestead Master Development Plan, as amended, and is consistent with all local land development regulations, and is further consistent with the report and recommendations of the Regional Planning Agency of June 15, 1981, and such development does not therefore unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.

3. The legal description embraced within this  
Development Order is:

A portion of Sections 21 and 22, Township 57 South, Range 39 East, Tallahassee Base and Meridian, lying within the "Plat of Lands belonging to the Miami Land and Development Company" as recorded in Plat Book 5 at Page 10 of the Public Records of Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 22; thence run  $SO^{\circ}29'34"E$  along the West line of said Section 22 for a distance of 1002.19 feet to the Point of Beginning; thence continue  $SO^{\circ}29'34"E$  along the said West line of said Section 22 for a distance of 668.13 feet to a point; thence run  $N89^{\circ}34'52"E$  for a distance of 2652.70 feet to a point of intersection with the West right-of-way line of SW 142nd Avenue; thence run  $SO^{\circ}26'43"E$  along the said West right-of-way line of said SW 142nd Avenue for a distance of 2527.53 feet to a point; thence run  $S89^{\circ}33'17"W$  for a distance of 675.00 to the Point of Curvature of a circular

curve to the right having for its elements a central angle of  $24^{\circ}45'52''$  and a radius of 2337.50 feet; thence run Westerly and Northwesterly along the arc of said curve for a distance of 1010.32 feet to the Point of Tangency; thence run  $N65^{\circ}40'51''W$  for a distance of 1392.05 feet to the Point of Curvature of a circular curve to the left having for its elements a central angle of  $24^{\circ}44'15''$  and a radius of 2220.06 feet; thence run Northwesterly and Westerly along the arc of said curve for a distance of 958.51 feet to the Point of tangency; thence run  $S89^{\circ}10'06''W$  radial to the next described curve, for a distance of 525.58 feet to a point of intersection with a circular curve concave to the West having for its elements a central angle of  $32^{\circ}09'20''$  and a radius of 2600.00 feet; thence run Northwesterly along the arc of said curve for a distance of 1459.17 feet to the Point of tangency; thence run  $N31^{\circ}28'26''W$  for a distance of 619.15 feet to the Point of Curvature of a circular curve to the right having for its elements a central angle of  $31^{\circ}03'20''$  and a radius of 1799.55 feet; thence run Northwesterly and Northerly along the arc of said curve for a distance of 975.40 feet to the Point of tangency; thence run  $N0^{\circ}25'06''W$  for a distance of 200.00 to a point of intersection with the South right-of-way line of SW 328th Street (North Canal Drive); thence run  $N89^{\circ}31'49''E$  along the said South right-of-way line of said SW 328th Street for a distance of 1777.82 feet to a point; thence run  $S0^{\circ}28'57''E$  for a distance of 867.15 feet to a point; thence run  $N89^{\circ}31'58''E$  for a distance of 889.02 feet to the Point of Beginning.

Containing 281.25 Acres more or less.

Less 30 acres for lake dedication and no less than 10.25 acres for dedication for road right-of-way.

4. The monitoring procedures shall be effected quarterly by the Director of Building and Zoning of the City of Homestead. Violations of any Building and Zoning ordinance of the City or County shall be cause for the issuance of a Cease and Desist Order. Violations of state law shall be brought to the attention of the appropriate state agency.

5. Commencement of actual physical development of such industrial park shall be had within five (5) years of the date of this Resolution, otherwise this Development Order shall terminate automatically.

6. The annual report contemplated by Florida Statutes 380.06(14)(c)(3) shall include all information set forth by the rules and regulations of the State Land Planning Agency and additionally; the local municipal requirements hereinafter specified to wit:

- (a) There shall be provided an abbreviated financial statement respecting such industrial park.
- (b) The area developed.
- (c) The area under contract.
- (d) The area of future expansion and project design.

Such report shall be submitted during the month of March of each year and shall be furnished to the City Manager, the Director of Building and Zoning and the Mayor of the City of Homestead.

7. This Development Order is conditioned upon the construction and maintenance of a dual heliport which shall be included within the industrial area or as close thereto as reasonably possible; subject however, to approval of all state and federal authority prior to actual user thereof. Completion of such heliport shall be effected within ninety (90) days from the issuance of the initial Certificate of Occupancy in such industrial park.

8. This Development Order is further conditioned upon the owner/developer dedicating the sufficient space to afford operational facilities for United States Customs and its related support systems.

9. This Development Order Ordinance is further conditioned upon the express undertaking by the applicant that he/it will defend and hold harmless the City of Homestead should any litigation occur from the issuance of this Development Order Ordinance.

10. The above changes in the Master Plan, as amended, be and the same are hereby approved by this City Council of the City of Homestead with the affirmative finding of the City Council



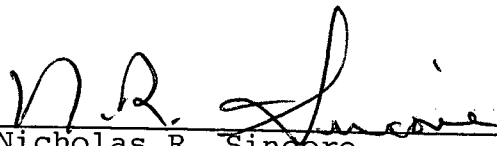
that these changes do not constitute a significant change in subject Master Plan for the Planned Unit Development as heretofore submitted by the developer.

11. All ordinances or resolutions, or parts of ordinances or resolutions in conflict with the provisions of this ordinance, are hereby rescinded and repealed.

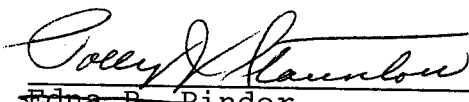
12. It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Laws of the City of Homestead. The sections of this ordinance may be renumbered or relettered or accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

13. This ordinance shall become effective immediately upon adoption.

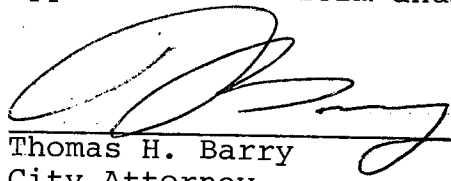
PASSED AND ADOPTED this 20<sup>th</sup> day of July, 1981.

  
Nicholas R. Sincore  
Mayor

Attest:

  
~~Edna B. Pinder~~  
(Deputy) City Clerk

Approved as to form and correctness:

  
Thomas H. Barry  
City Attorney

CERTIFICATE OF CLERK

I HEREBY CERTIFY that a motion was made by Mr. Wilson,  
seconded by Mr. Rutzke, for the adoption of the foregoing  
Ordinance, No. 81-07-47, and upon being put to a vote, the  
vote was as follows:

Walter C. Rutzke	yea
William T. McConnell	yea
William F. Dickinson	yea
Bobby L. Shiver	yea
W. Tommy Wilson	yea
Ruth L. Campbell	absent
Nicholas R. Sincore	yea

The Mayor thereupon declared the Ordinance duly passed and  
adopted by the City Council of the City of Homestead, Dade County,  
Florida this 20 day of July, 1981.

Edna B. Rinder  
City Clerk

## DEVELOPMENT ORDER ORDINANCE NO. 84-05-33

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING DEVELOPMENT ORDINANCE NO. 81-07-47, APPROVING CERTAIN CHANGES IN THE MASTER PLAN, AS AMENDED, FOR THE DEVELOPMENT OF THE VILLAGES OF HOMESTEAD REFERENCE MULTI-FAMILY USAGE OF LANDS, AND DECLARING SAID CHANGES NOT TO BE A MATERIAL OR SIGNIFICANT DEVIATION IN THE OVERALL MASTER PLAN THEREOF.

WHEREAS, the Villages of Homestead has petitioned the Planning and Zoning Board of the City of Homestead and the City Council of the City of Homestead for certain changes in the Master Plan, as amended, for the development of the Villages of Homestead, and

WHEREAS, the Planning and Zoning Board has recommended same to the City Council of the City of Homestead by virtue of approval of public hearing No. 84-22, with conditions hereinafter referred to, and

WHEREAS, the City Council of the City of Homestead does find and determine that the proposed land use revisions to the Villages of Homestead Master Development Plan, as amended, do not constitute a substantial deviation to the previously approved development of regional impact. In making this determination, the City Council has reviewed the proposed changes, pursuant to the criteria as set forth in Section 380.06(17) Florida Statutes, and finds that the proposed deviations do not create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the City of Homestead or the South Florida Regional Planning Council, and

WHEREAS, the City Council of the City of Homestead does find and determine that the proposed land use revisions to the Villages of Homestead Master Development Plan, as amended, as set forth, do not constitute a significant change in the approved Master Development Plan, as amended, and as provided in Section 31A-100 of the Code of the Laws of the City of Homestead.

1984 JUN 13 PM 3:02

84 R 180678

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

1. That the City Council of the City of Homestead approves the Proposed Revisions to the Villages of Homestead Master Development Plan, as amended, and determine that the approved Master Development Plan, as amended, are not significantly and or adversely affected by said amendments.

2. That the City of Homestead Comprehensive Plan be and is herewith amended to reflect such revision to the Villages of Homestead Master Development Plan, as amended, and is consistant with all local land development regulations, and is further consistant with the recommendation of the staff of the South Florida Regional Planning Council under date of April 9, 1984, and such development does not therefore unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.

3. The legal description embraced within this Development Order is:

See Exhibit "A"

4. That certain parcel of land marked herein as Exhibit "B" attached hereto and made a part hereof and incorporated fully herein, and consisting of approximately 70.5 acres more or less shall be limited to the development of 640 multi-family units.

5. That the property described in Exhibit "C" attached hereto, and incorporated fully herein, shall be reduced from its present multi-family usage of 2,846 units, by 410 units, leaving its maximum multi-family usage, in the parcel described as Exhibit "C" and attached hereto, to 2,436 units.

6. The monitoring procedures shall be effected quarterly by the Director of Building and Zoning of the City of Homestead. Violations of any Building and Zoning ordinance of the City or County shall be cause for the issuance of a Cease and Desist Order. Violations of state law shall be brought to the attention of the appropriate state agency.

7. This Development Order Ordinance is further conditioned upon the express undertaking by the applicant that he/it will defend and hold harmless the City of Homestead should any litigation occur from the issuance of this Development Order Ordinance.

8. That the City Council of the City of Homestead has reviewed the proposed changes, and finds that the proposed deviations do not create or constitute a substantial deviation to the previously approved development of regional impact.

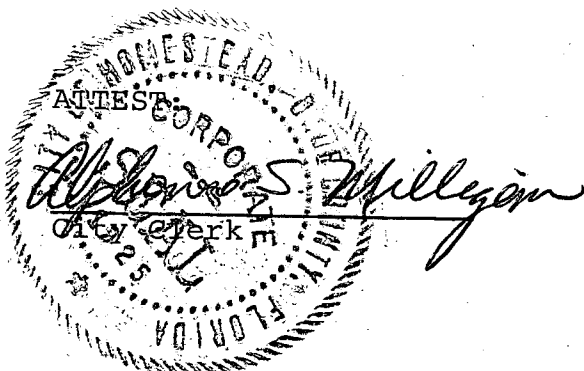
9. All ordinances or resolutions, or parts of ordinances or resolutions in conflict with the provisions of this ordinance, are hereby rescinded and repealed.

10. That the site plan that has been previously submitted to the City Council of the City of Homestead and the Planning & Zoning Department of the City of Homestead be and the same is hereby accepted and approved. Attached hereto and made a part hereof as though fully set forth herein is a list of exhibits marked "Attachment No. 1" to this ordinance, said list of exhibits includes all documentation submitted that comprises the existing site plan and said list of exhibits are approved in totality as the site plan for which approval is being given within the confines of this ordinance.

11. It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Laws of the City of Homestead. The sections of this ordinance may be renumbered or relettered or accomplish such intention, and the word "Ordinance" may be changed to "section", "article" or other appropriate word.


12. This ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED this 21<sup>st</sup> day of May, 1984.



  
IRVING PESKOE, MAYOR

Approved as to correctness  
and form:

  
City Attorney

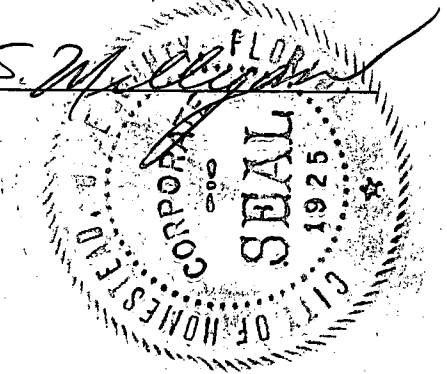
## CERTIFICATE OF CLERK

I HEREBY CERTIFY that a motion was made by Mr. Kirk  
seconded by Mr. Sincore, for the adoption of the foregoing  
Ordinance No. 84-05-33, and upon being put to a vote, the  
vote was as follows:

Harold Ely	no
Jeff Kirk	yes
W.F. Dickinson	no
J.W. DeMilly, III	yes
Nicholas Sincore	yes
Roscoe Warren	absent
Irving Peskoe	yes

The Mayor thereupon declared the Ordinance duly passed and  
adopted by the City Council of the City of Homestead, Dade County,  
Florida this 21st day of May, 1984.

*Alphonso S. McElroy*  
City Clerk



RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA.  
RECORD VERIFIED  
RICHARD P. BRINKEE  
CLERK CIRCUIT COURT

LIST OF EXHIBITS

EXHIBIT "A"	28.14 acre outparcel legal description
EXHIBIT "B"	42.44 acre parcel legal description
EXHIBIT "C"	Proposed PUD showing unit redistribution
EXHIBIT "D"	Site plan prepared by Cano, Sotolongo & Associates, Inc.
EXHIBIT "D" REV.	Site plan prepared by Cano, Sotolongo & Associates, Inc.
EXHIBIT "E"	Traffic Impact Study, Villages of Homestead dated March 1984
EXHIBIT "F"	Chart showing redistribution of units in Homestead Properties PUD
EXHIBIT "G"	Proposed Master Plan revision dated 3-3-84
EXHIBIT "H"	Letter of Intent Dated March 15, 1984
EXHIBIT "I"	Legal description of combined parcels
EXHIBIT "J"	Legal survey of combined parcels
EXHIBIT "K"	Existing Master Development Plan showing the parcels affected by the application
EXHIBIT "L"	Floor plan & elevation (minimum sq. footage) Unit A - 675 sq. ft. - 1 bedroom, 1 bath Unit B - 834 sq. ft. - 2 bedroom, 1 bath Unit C - 944 sq. ft. - 2 bedroom, 2 bath Unit C Alt. - 975 sq. ft. - 2 bedroom, 2 bath Unit D - 950 sq. ft. - 2 bedroom, 2 bath Unit E - 1152 sq. ft. - 2 bedroom, 2 bath
EXHIBIT "M"	Guardhouse & wall



Post, Buckley, Schuh &amp; Jernigan, Inc.

CONSULTING ENGINEERS and PLANNERS

84-22  
TRANSMITTAL10 PALMS PLAZA  
HOMESTEAD, FLORIDA 33030-6094  
(305) 248-4750

DATE	April 5, 1984	JOB NO.	050-590.10
ATTENTION	Ms. Martha O'Connell		
RE:	Legal Description - P.U.D. Boundaries		

TO City of Homestead  
Building, Planning & Zoning Dept.  
Homestead, Florida 33030

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

- ☐ Shop drawings    ☐ Prints    ☐ Plans    ☐ Samples    ☐ Specifications  
☐ Copy of letter    ☐ Change order    ☐ \_\_\_\_\_

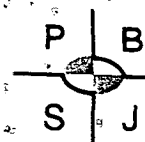
COPIES	DATE	NO.	DESCRIPTION
1		1	Legal Description of Villages of Homestead P.U.D.

THESE ARE TRANSMITTED as checked below:

- ☐ For approval    ☐ Approved as submitted    ☐ Resubmit \_\_\_\_\_ copies for approval  
☒ For your use    ☐ Approved as noted    ☐ Submit \_\_\_\_\_ copies for distribution  
☒ As requested    ☐ Returned for corrections    ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment    ☐ \_\_\_\_\_  
☐ FOR BIDS DUE \_\_\_\_\_ 19\_\_\_\_ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO Ken Comyns, Steve RatnerSIGNED: James A. Shonkwiler, P.E.



84-22  
Post, Buckley, Schuh & Jernigan, Inc.

CONSULTING ENGINEERS and PLANNERS

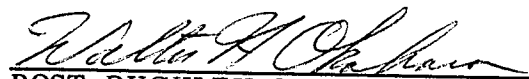
10 PALMS PLAZA, HOMESTEAD, FLORIDA 33030-6094 • 305/248-4750 • TELEX 808435

April 5, 1984

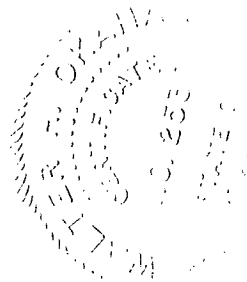
Homestead Properties, Ltd.  
1820 North Canal Drive  
Homestead, Florida 33035

To Whom It May Concern:

WE HEREBY CERTIFY: That the attached legal description describing lands included within the P.U.D. Boundaries was prepared under our direction and control this 5th day of April, A.D., 1984 and is true and correct to the best of our knowledge and belief.

  
POST, BUCKLEY, SCHUH & JERNIGAN, INC.  
By: Walter H. Okahara, P.L.S.  
Florida Professional Land Surveyor  
Certificate of Registration No. 2530

WHO/lvc  
050-590.10



## LEGAL DESCRIPTION

## P.U.D. BOUNDARY

A Tract of land described as portions of Sections 16, 17, 19, 20, 21, 22, 23, 26, 27, 28 and 29, in Township 57 South, Range 39 East, Dade County, Florida, more particularly described as follows: Begin at the Northwest corner of the N.E. 1/4 of said Section 19; thence N88°35'50"E along the North line of said Section 19 for 2715.72 feet to the Northeast corner of said Section 19; thence N88°26'49"E along the North line of the N.W. 1/4 of said Section 20 for 2720.41 feet to the Northeast corner of said N.W. 1/4, the same being the Southwest corner of the S.E. 1/4 of said Section 17; thence N0°22'40"W along the West line of said S.E. 1/4 for 998.09 feet; thence N89°41'28"E along the North lines of Lots 15 through 20 inclusive, of Block 4, of said Section 17 of the plat, MIAMI LAND AND DEVELOPMENT COMPANY subdivision, as recorded in Plat Book 5 at Page 10 of the Public Records of Dade County, Florida and the West-erly extension of said lines, for 1357.39 feet to the Northeast corner of said Lot 20, the same being the Southwest corner of Lot 27 of said Block 4; thence N0°27'49"W along the West line of said Lot 27 for 333.10 feet to the Northwest corner of said Lot 27; thence N89°40'28"E along the North line of said Lot 27 and its Easterly extension for 1356.89 feet to a point on the West line of said Section 16; thence N89°37'26"E along the North lines of Lots 14 and 27 of Block 3, Section 16, of said plat of, MIAMI LAND DEVELOPMENT COMPANY and the East and West extension of said lines, for 2667.41 feet to a point on the East line of the S.W. 1/4 of said Section 16; thence N89°34'06"E along the North line of Lot 14 of Block 4 of said Section 16, of the said plat, MIAMI LAND DEVELOPMENT COMPANY and its West-erly extension, for 1334.34 feet to the North-east corner of said Lot 14; thence S0°22'18"E along the East lines of Lots 14 and 20 of said Block 4 of Section 16, and their Southerly extension for 1332.79 feet to a point on the South line of said Section 16; thence N89°31'49"E along the said South line of Section 16 for 444.42 feet; thence S0°28'57"E along the East line of Lot 5 of Block 1 of said Section 21 of the plat, MIAMI LAND DEVELOPMENT COMPANY and its Northerly extension for 1002.15 feet to the Southeast corner of said Lot 5; thence N89°31'58"E along the North line of Lot 28 of Block 1 of said Section 21, of the plat, MIAMI LAND DEVELOPMENT COMPANY and its Easterly extension for 889.02 feet to a point on the East line of said Section 21; thence S0°29'34"E along said East line of Section 21 for 668.13 feet; thence N89°34'52"E along the North lines of Lots 15 through 26 inclusive of Block 2 of said Section 22, of the plat, MIAMI LAND DEVELOPMENT COMPANY and the East and West extension of said lines for 2677.70 feet to a point on the East line of the N.W. 1/4 of said Section 22; thence S0°26'43"E along the said East line of the N.W. 1/4 for 1002.52 feet to the Southeast corner of said N.W. 1/4; thence N89°35'06"E along the North line of the S.E. 1/4 of said Section 22 for 2671.97 feet to the Northeast corner of the said S.E. 1/4 of Section 22; thence N89°31'07"E along the North line of the S.W. 1/4 of said Section 23 for 2680.97 feet to the Northeast corner of said S.W. 1/4; thence S0°19'11"E along the East line of said S.W. 1/4 of Section 23 for 2708.00 feet to the Southeast corner of said S.W. 1/4; thence S0°02'12"W along the East line of the N.W. 1/4 of said Section 26, for 2668.75 feet to the Southeast corner of the said N.W. 1/4; thence S89°23'23"W along the South line of the said N.W. 1/4 for 2678.34 feet to the Southwest corner of said N.W. 1/4; thence S89°39'32"W along the South line of the N.E. 1/4 of said Section 27, for 2657.97 feet to the Southwest corner of the said N.E. 1/4; thence S89°39'37"W along the South line of the N.W. 1/4 of said Section 27 for 2657.98 feet to the Southwest corner of said N.W. 1/4; thence S89°34'33"W along the South line of the N.E. 1/4 of said Section 28, for 2668.66 feet to the Southwest corner of said N.E. 1/4; thence S89°34'41"W along the South line of the N.W. 1/4 of said Section 28, for 2668.57 feet to the Southwest corner of said N.W. 1/4; thence S89°26'43"W along the South line of the N.E. 1/4 of said Section 29, for 2709.24 feet to the Southwest corner of said N.E. 1/4; thence S89°26'35"W along the South line of the N.W. 1/4 of said Section 29, for 2712.39 feet to the Southwest corner of said N.W. 1/4; thence N0°28'47"W along the West line of the said N.W. 1/4 of Section 29, for 2673.04 feet to the Northwest corner of said Section 29; thence S89°30'40"W along the South line of said Section 19 for 2042.06 feet; thence N0°31'42"W along the center-line of Connecticut Street, as shown on the REVISED PLAT, FLORIDA CITY PARK as recorded in Plat Book 33, at Page 48 of the Public Records of Dade County, Florida and the West line of Lot 5, Block 4, Section 19, of said plat, MIAMI LAND AND DEVELOPMENT COMPANY and the North and South extension of said line, for 2684.59 feet to a point on the South line of the N.E. 1/4 of Section 19; thence S89°12'01"W along the said South line of the N.E. 1/4 of Section 19 for 679.17 feet to the Southwest corner of said N.E. 1/4; thence N0°36'48"W along the West line of said N.E. 1/4 of Section 19 for 2617.64 feet to the Point of

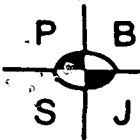
Beginning. Less the following described Lots lying in the said plat; MIAMI LAND DEVELOPMENT COMPANY: Lots 15, 16 and that portion of Lot 17, Block 4, Section 17, lying West of a line that is 527.00 feet East and parallel to the West line of the S.E. 1/4 of said Section 17; that portion of Lots 1, 2 and 3, Block 1, Section 19, lying Southerly of the right-of-way of the Homestead Extension of the Florida Turnpike; that portion of Lots 2 and 3, Block 1, Section 19 lying Northerly of said right-of-way of the Turnpike; that portion of Lot 4, Block 1, Section 19, lying Northerly of said right-of-way of the Turnpike; Lot 5, Block 1, Section 19; less the said right-of-way of the Turnpike; Lot 6, 9, 14 and 16, Block 1, Section 19; that portion of Lot 7, Block 1, Section 19, lying Northerly of said right-of-way of the Turnpike; Lot 8, Block 1, Section 19, less said right-of-way of the Turnpike; that portion of Lot 10, Block 1, Section 19, lying Southerly of said right-of-way of the Turnpike; Lots 4 and 5, Block 4, Section 19; the West 1/2 of Lot 6, Block 2, Section 20; Lot 7, Block 2, Section 20; the North 1/2 of Lot 2, Block 4, Section 20; Lot 14, Block 3, Section 21; Lot 4, Block 1, Section 29; the North 450 feet of the West 330 feet of Lot 6, Block 1, Section 29, less dedicated right-of-way; the same being the North 495 feet of the West 360 feet of the N.E. 1/4 of said Section 29 less dedicated right-of-way; the West 1/2, Lot 1, Block 2, Section 29; the East 1/2 of Lot 1 and the North-220 feet of the East-1/2 of Lot 16, Block 2, Section 29; Lot 16, less the North 220 feet of the East 1/2, of Block 2, Section 29; and less the following described lots, lying in the plat, FLORIDA CITY PARK, as recorded in Plat Book 16 at Page 53 of the Public Records of Dade County, Florida: Lots 6 and 7, Block 1; Lots 29 and 30, Block 5; Lots 2, 3, 4, 8, 11, 12 and 13, Block 9; Lots 8, 9, 10, 13 and 14, Block 10; Lots 1, 2, 7, 8 and 9, Block 11; Lots 6 to 11 inclusive and Lots 13 and 14, Block 12; and less the following described tracts, lying in the REVISED PLAT, FLORIDA CITY PARK as recorded in Plat Book 33, at Page 48 of the Public Records of Dade County, Florida: Tracts 1 through 8 inclusive, Tracts 9A and 9B, Tracts 10 through 16 inclusive, and less all roads, streets, avenues and canal, shown on said plats, FLORIDA CITY PARK and the REVISED PLAT, FLORIDA CITY PARK: and less that portion of the right-of-way of the Homestead Extension of the Florida Turnpike, lying in the N.E. 1/4 of said Section 19, and less the West 1/2 of Lot 14, Block 3, Section 20;

AND TOGETHER WITH THE FOLLOWING DESCRIBED PARCELS:

Tract 16, Block 1, and portions of Tracts 1, 2 and 3, Block 1 of Section 19, Township 57 South, Range 39 East, of the "PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY" according to the plat thereof, as recorded in Plat Book 5, Page 10 of the Public Records of Dade County, Florida, lying southeasterly of the southeasterly right-of-way line of the Homestead Extension of Florida's Turnpike (State Road 821), Section 87005-2302. Said parcel contains 28.14 acres more or less.

OUT PARCEL

April 5, 1984  
050-590.10



Post, Buckley, Schuh &amp; Jernigan, Inc.

CONSULTING ENGINEERS and PLANNERS

10 PALMS PLAZA, HOMESTEAD, FLORIDA 33030-6094 • 305/248-4750 • TELEX 808435

*Admit to 640*

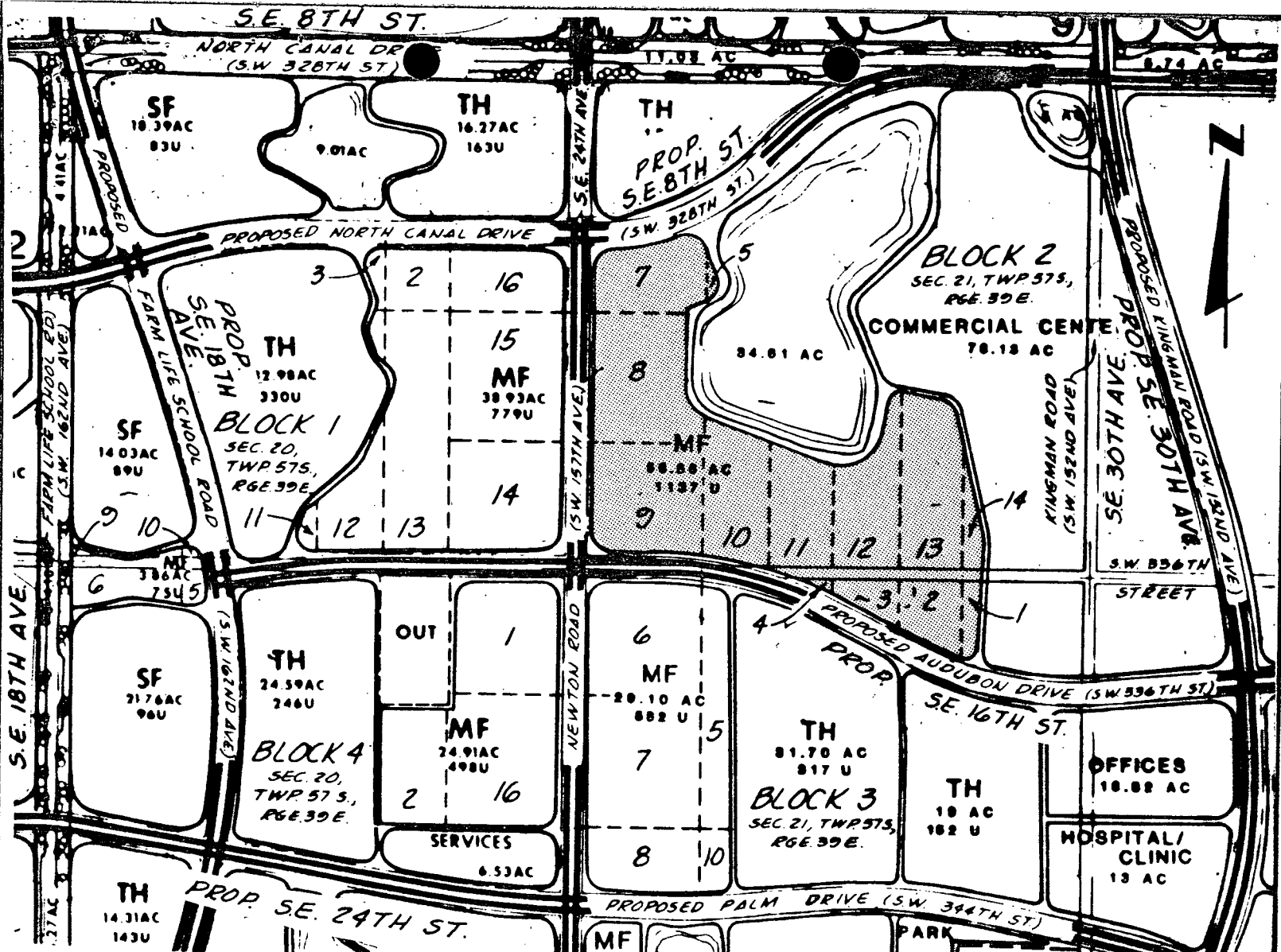
**LEGAL DESCRIPTION**  
**(PARCELS "A" AND "B")**

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA BEING TRACTS 11, 12, 13, 15 AND 16, BLOCK 1; TOGETHER WITH THAT PORTION OF TRACTS 1, 2, 3 AND 4, BLOCK 1 OF THE "PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD 821), SECTION 87005-2302, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY "METES AND BOUNDS" AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER; THENCE S89°12'01"W ALONG THE SOUTH LINE OF SAID NORTHEAST ONE-QUARTER FOR 679.16 FEET; THENCE N 0°37'57"W FOR 30.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF S.W. 336TH STREET AND BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE S89°12'01"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 1018.74 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID TRACT 11; THENCE N 0°37'23"W ALONG SAID WEST LINE AND THE WEST LINE OF SAID TRACT 4 FOR 1479.86 FEET TO AN INTERSECTION WITH SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE; THENCE N52°31'29"E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE FOR 1780.53 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF S.W. 328TH STREET (NORTH CANAL DRIVE) SAID SOUTHERLY RIGHT-OF-WAY LINE BEING 70.00 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE NORTH LINE OF SAID SECTION 19; THENCE N88°35'50"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 242.46 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF S.W. 167TH AVENUE (TENNESSEE ROAD), SAID WESTERLY RIGHT-OF-WAY LINE BEING 30.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF SAID SECTION 19; THENCE S 0°38'20"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1914.41 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 15; THENCE S89°02'58"W ALONG SAID SOUTH LINE FOR 649.10 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID TRACT 13, SAID INTERSECTION BEING ALSO THE SOUTHWEST CORNER OF SAID TRACT 15; THENCE S 0°37'57"E ALONG SAID EAST LINE FOR 629.77 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 70.58 ACRES MORE OR LESS.

SAID PARCEL BEING SUBJECT TO THE UTILITIES EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 9872, AT PAGE 1992 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH ANY CONDITIONS, RESTRICTIONS, RESERVATIONS, LIMITATIONS, COVENANTS, EASEMENTS AND DEDICATIONS OF RECORD.

MARCH 15, 1984  
050-590.00



LOCATION MAP  
NOT TO SCALE

EXHIBIT "C"

### LEGAL DESCRIPTION

A PARCEL OF LAND BEING PORTIONS OF TRACTS 1, 2, 3 AND 4, BLOCK 3 AND PORTIONS OF TRACTS 5, 7, 8, 9, 10, 11, 12, 13 AND 14 OF BLOCK 2; TOGETHER WITH A PORTION OF S.E. 16TH STREET (S.W. 336TH STREET), IN SECTION 21, TOWNSHIP 57 SOUTH, RANGE 39 EAST OF "PLAT OF LANDS BELONGING TO THE MIAMI LAND & DEVELOPMENT CO.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING SOUTH OF PROPOSED S.E. 8TH STREET (PROPOSED NORTH CANAL DRIVE; S.W. 328TH STREET), EAST OF S.E. 24TH AVENUE (NEWTON ROAD; S.W. 157TH AVENUE) AND NORTH OF PROPOSED S.E. 16TH STREET (PROPOSED AUDUBON DRIVE; S.W. 336TH STREET); CONTAINING 56.85 ACRES, MORE OR LESS, AS SHOWN ON THE "MASTER DEVELOPMENT PLAN" OF THE "VILLAGES OF HOMESTEAD" AS PREPARED BY POST, BUCKLEY, SCHUH & JERNIGAN, INC., DATED MAY 22, 1981.

REVISED MAY 4, 1984 TO SHOW CITY  
OF HOMESTEAD STREET NAMES.

PREPARED FOR:

**Villages of Homestead**

A DEVELOPMENT OF HOMESTEAD PROPERTIES

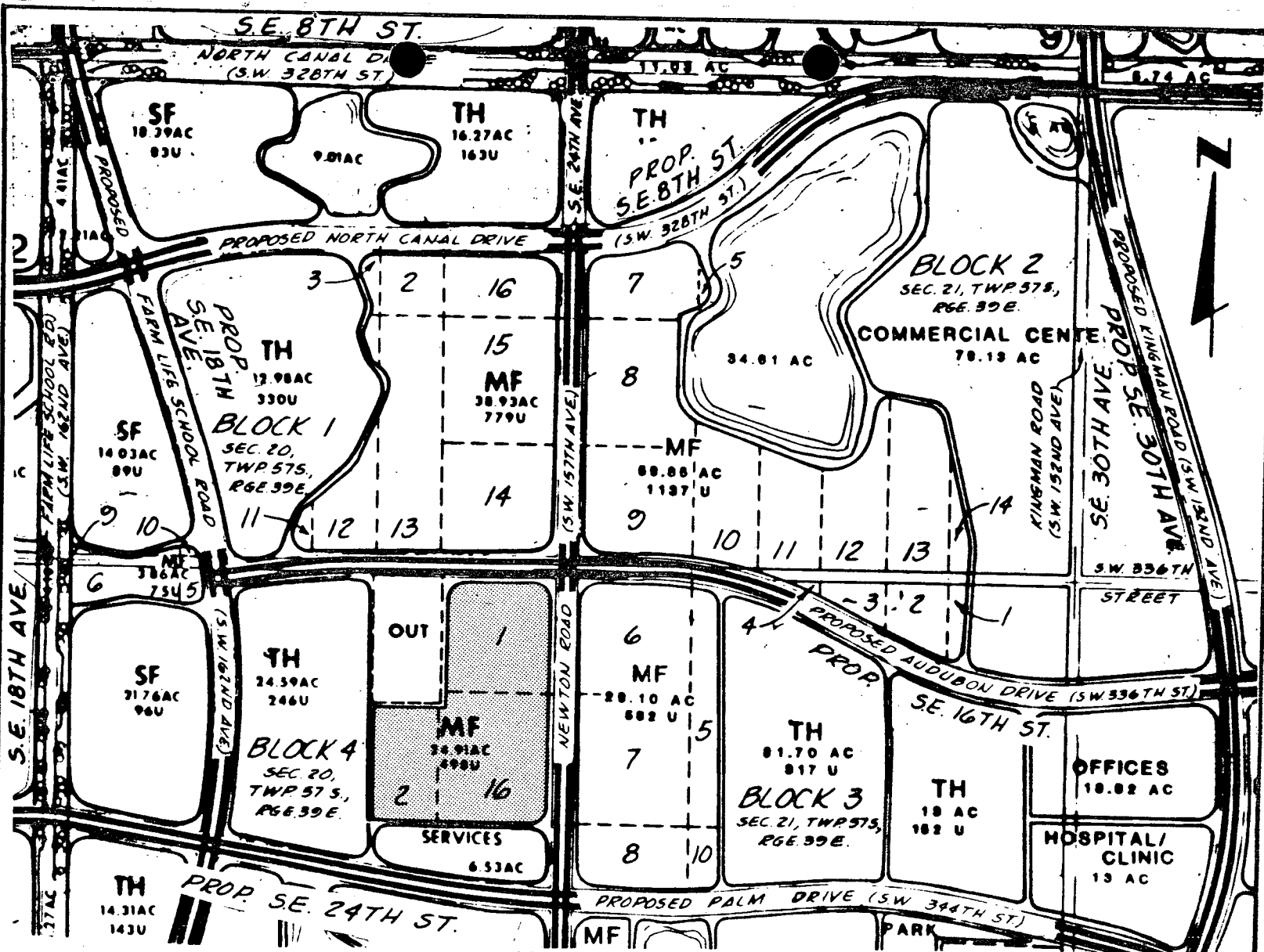
**Post, Buckley, Schuh & Jernigan, Inc.**  
CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
10 PALMS PLAZA HOMESTEAD, FLORIDA

DESIGN  
DRAWN: DWD  
CHECKED: WHO  
DATE: 5/2/84

DEVELOPMENT ORDER AMENDMENTS  
SKETCH AND LEGAL DESCRIPTION

CITY OF HOMESTEAD DADE COUNTY FLORIDA

680-890.10  
DATE: 5/2/84  
1 OF 12



LOCATION MAP  
NOT TO SCALE

#### LEGAL DESCRIPTION

A PARCEL OF LAND BEING PORTIONS OF TRACTS 1, 2 AND 16, BLOCK 4, IN SECTION 20, TOWNSHIP 57 SOUTH, RANGE 39 EAST OF "PLAT OF LAND BELONGING TO THE MIAMI LAND & DEVELOPMENT CO.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING SOUTH OF PROPOSED S.E. 16TH STREET (PROPOSED AUDUBON DRIVE; S.W. 336TH STREET) AND WEST OF S.E. 24TH AVENUE (NEWTON ROAD; S.W. 157TH AVENUE); CONTAINING 24.91 ACRES, MORE OR LESS; AS SHOWN ON THE "MASTER DEVELOPMENT PLAN" OF THE "VILLAGES OF HOMESTEAD" AS PREPARED BY POST, BUCKLEY, SCHUH & JERNIGAN, INC., DATED MAY 22, 1981.

REVISED MAY 4, 1984 TO SHOW CITY OF HOMESTEAD STREET NAMES.

PREPARED FOR:

**Villages of Homestead**

**Post, Buckley, Schuh & Jernigan, Inc.**  
CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
10 PALMS PLAZA HOMESTEAD, FLORIDA



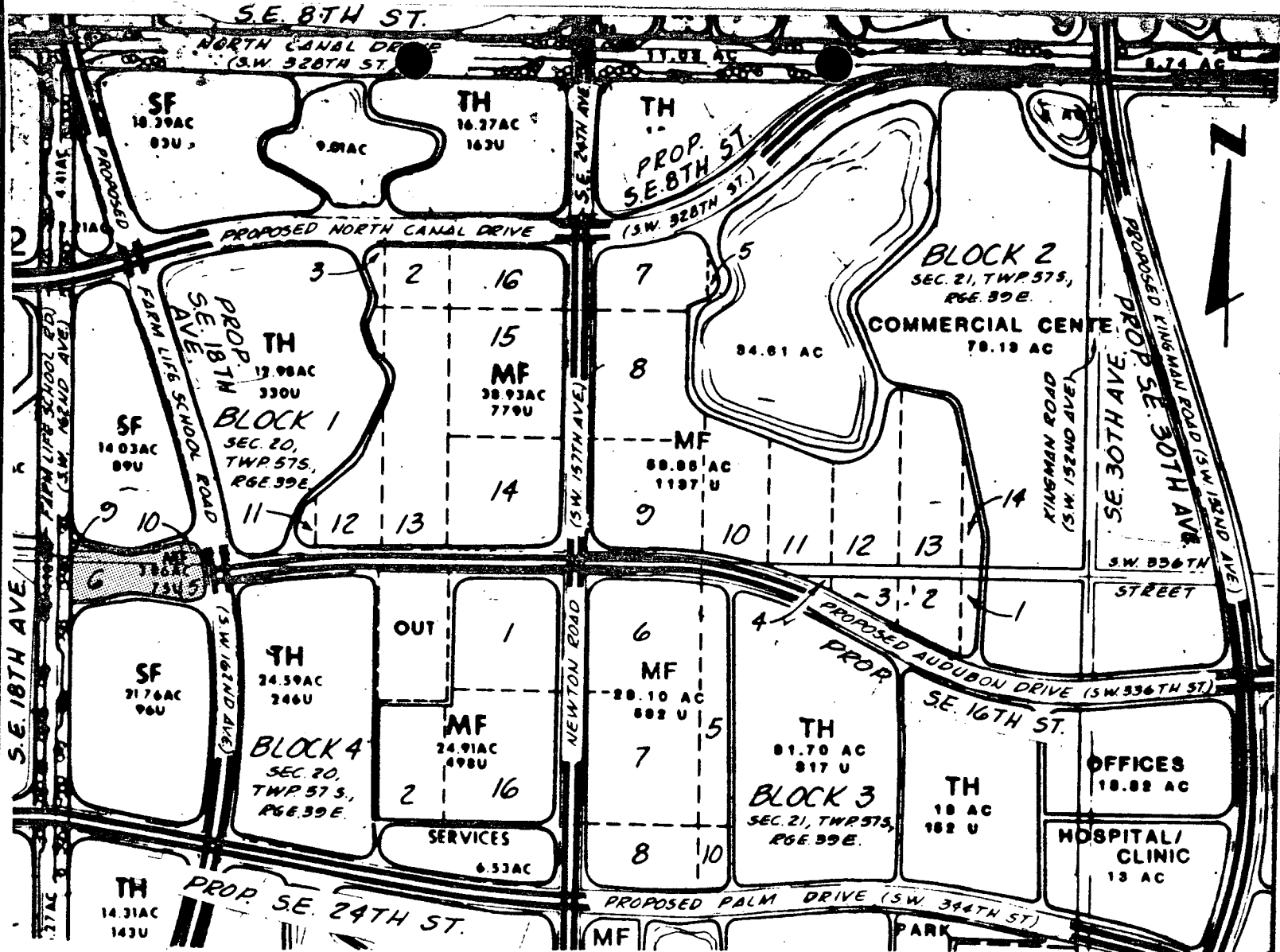
A DEVELOPMENT OF HOMESTEAD PROPERTIES

DESIGN: DWD  
DRAWN: DWD  
CHECKED: WHO  
DATE: 5/4/84

DEVELOPMENT ORDER AMENDMENTS  
SKETCH AND LEGAL DESCRIPTION

CITY OF HOMESTEAD DADE COUNTY FLORIDA 1 OF 1





LOCATION MAP  
NOT TO SCALE

#### LEGAL DESCRIPTION

A PARCEL OF LAND BEING PORTIONS OF TRACTS 9 AND 10, BLOCK 1 AND PORTIONS OF TRACTS 5 AND 6, BLOCK 4 TOGETHER WITH A PORTION OF S.E. 16TH STREET (S.W. 336TH STREET), IN SECTION 20, TOWNSHIP 57 SOUTH, RANGE 39 EAST OF "PLAT OF LANDS BELONGING TO THE MIAMI LAND & DEVELOPMENT CO.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING EAST OF S.E. 18TH AVENUE (FARM LIFE SCHOOL ROAD; S.W. 162ND AVENUE) AND WEST OF PROPOSED S.E. 18TH AVENUE (PROPOSED FARM LIFE SCHOOL ROAD; S.W. 162ND AVENUE); CONTAINING 3.86 ACRES, MORE OR LESS; AS SHOWN ON THE "MASTER DEVELOPMENT PLAN" OF THE "VILLAGES OF HOMESTEAD" AS PREPARED BY POST, BUCKLEY, SCHUH & JERNIGAN, INC., DATED MAY 22, 1981.

REVISED MAY 4, 1984 TO SHOW CITY  
OF HOMESTEAD STREET NAMES.

PREPARED FOR:

**Villages of Homestead**

A DEVELOPMENT OF HOMESTEAD PROPERTIES

**Post, Buckley, Schuh & Jernigan, Inc.**  
CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
10 PALMS PLAZA HOMESTEAD, FLORIDA

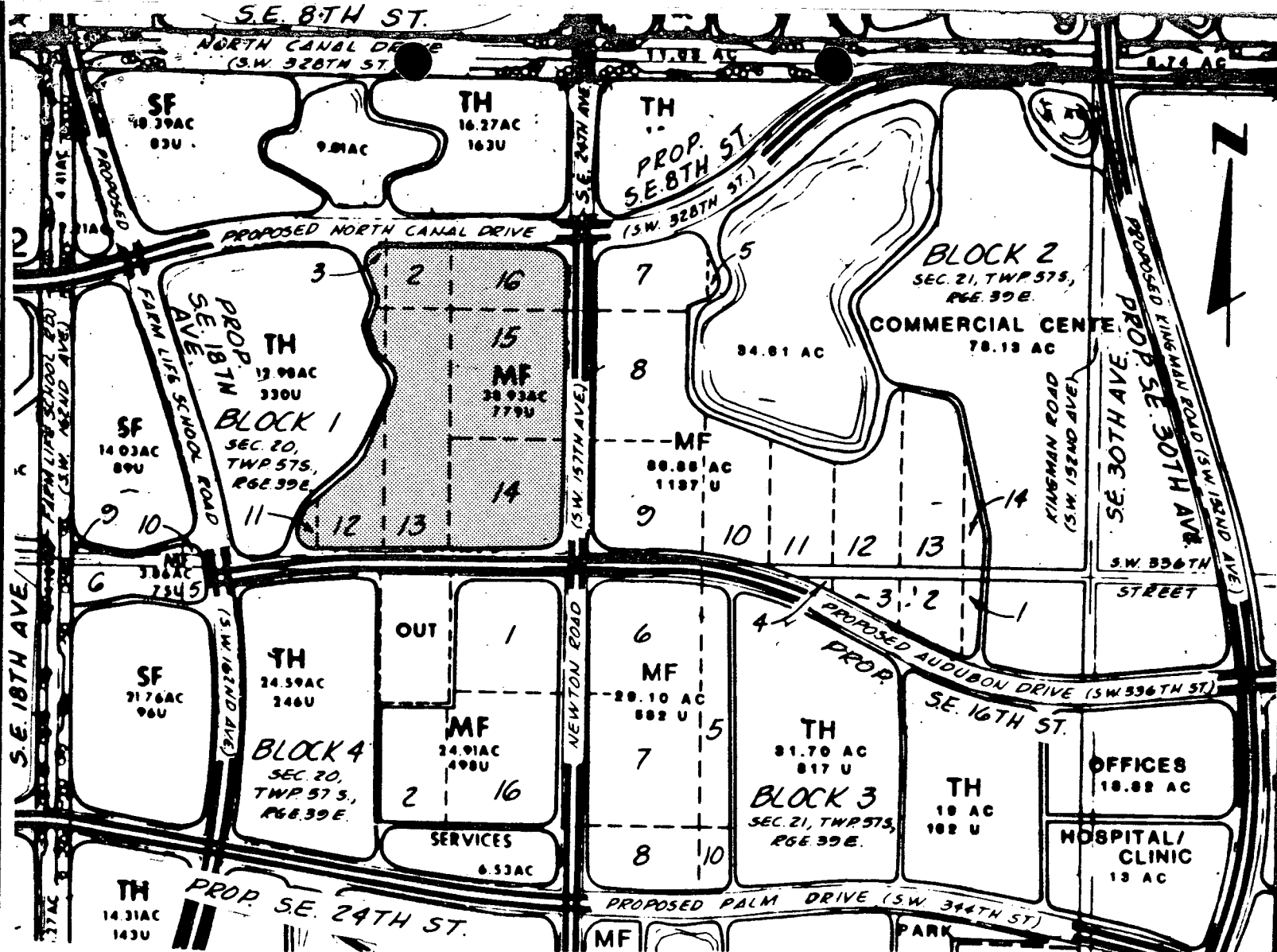
DESIGN  
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D.C.

DEVELOPMENT ORDER AMENDMENTS  
SKETCH AND LEGAL DESCRIPTION

CITY OF HOMESTEAD DADE COUNTY FLORIDA

APP. 050-890.10  
DATE 8/2/84  
1 OF 1





LOCATION MAP  
NOT TO SCALE

#### LEGAL DESCRIPTION

A PARCEL OF LAND BEING PORTIONS OF TRACTS 2, 3, 11, 12, 13, 14, 15 AND 16, BLOCK 1 OF "PLAT OF LANDS BELONGING TO THE MIAMI LAND & DEVELOPMENT CO.", IN SECTION 20, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; LYING SOUTH OF PROPOSED S.E. 8TH STREET (PROPOSED NORTH CANAL DRIVE; S.W. 328TH STREET), WEST OF S.E. 24TH AVENUE (NEWTON ROAD; S.W. 157TH AVENUE) AND NORTH OF PROPOSED S.E. 16TH STREET (PROPOSED AUDUBON DRIVE; S.W. 336TH STREET); CONTAINING 38.93 ACRES, MORE OR LESS; AS SHOWN ON THE "MASTER DEVELOPMENT PLAN" OF THE "VILLAGES OF HOMESTEAD" AS PREPARED BY POST, BUCKLEY, SCHUH & JERNIGAN, INC., DATED MAY 22, 1981.

REVISED MAY 4, 1984 TO SHOW CITY  
OF HOMESTEAD STREET NAMES.

PREPARED FOR:

**Villages of Homestead**

DEVELOPMENT OF HOMESTEAD PROPERTIES

**Post, Buckley, Schuh & Jernigan, Inc.**  
CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
10 PALMS PLAZA HOMESTEAD, FLORIDA

DESIGN  
DRAWN: DWD  
CHECKED: WHO  
DATE:

DEVELOPMENT ORDER AMENDMENTS  
SKETCH AND LEGAL DESCRIPTION

CITY OF HOMESTEAD DADE COUNTY FLORIDA

1 OF 1

## A G R E E M E N T

AN AGREEMENT, made in Homestead, Florida, on May 21, 1984, by GROSSMAN HOLDINGS LIMITED, BLEEMAN HOLDINGS LIMITED, THE MERIDIAN BUILDING GROUP LIMITED, and MARKBOROUGH PROPERTIES LIMITED, all Canadian corporations, doing business as HOMESTEAD PROPERTIES, a general partnership, (hereinafter collectively referred to as "Developer"), VETERAN'S CONSTRUCTION CORPORATION, a Delaware corporation, (hereinafter referred to as "Builder"), and THE CITY OF HOMESTEAD, Florida (hereinafter referred to as "City").

### W I T N E S S E T H:

WHEREAS, Developer is the record title owner and developer of the 3,200 acre parcel of real property within the city limits of Homestead, Dade County, Florida, commonly known as "The Villages of Homestead"; and

WHEREAS, Builder has contracted to purchase from Developer that certain real property located within the Villages of Homestead and legally described in attached Exhibit "A", (hereinafter referred to as the "Project"), containing approximately 71 gross acres and said property must be zoned for use as 640 residential building unit condominium structure as a condition precedent to the closing of said purchase; and

WHEREAS, the Developer has applied to the City : (1) to amend the City's Comprehensive Plan with regard to the Property, (2) to rezone the Property, (3) to amend the Homestead Properties' DRI Development Order with regard to the Property, (4) to find that the proposed amendments to the Developer's DRI Development Order (Ordinance No. 81-07-47) and the revisions to the Homestead Master Development Plan do not constitute a substantial deviation under Section 380.06 (17), Florida Statutes, and (5) to approve a site plan for the Property entitled "Villages of Homestead -- Lakeshore Village", prepared by Cono, Sotolongo and Associates, Inc., dated March 16, 1984; and

WHEREAS, the approvals requested by the Developer would permit the development of a maximum number of 640 multiple family units upon the Property; and

WHEREAS, certain members of the City Council of the City have exhibited some concern over the possibility that the project will not be maintained in the event the Declaration of Condominium is terminated;

WHEREIN FOR AND IN CONSIDERATION OF THE COVENANTS CONTAINED HEREIN AND OF THE GRANTING OF THE PENDING APPLICATION OF DEVELOPER BY THE CITY, AS DESCRIBED HEREIN, IT IS MUTUALLY AGREED, AS FOLLOWS:

1. In the event that the Declaration of Condominium (a copy of which and all exhibits thereto is attached hereto as Exhibit "B"), on the Project is terminated and that the use of said property as a multiple family condominium development is abandoned, Builder and Developer agree to provide for the maintenance and upkeep of the Project consistent with the maintenance and upkeep required under said Declaration of Condominium. When such condominium documents are recorded, an addendum hereto shall be executed by the parties to reflect the recording information of such documents.

2. This agreement shall apply only to units within the Project which have not been conveyed to a third party or entity (other than a party hereto) and to the common areas within said project. This agreement and all obligations and liabilities hereunder shall terminate automatically upon the conveyance of the last unit within the Project to a third party or entity or by mutual agreement of the parties hereto; whichever comes first. This Agreement will continue to be binding if the transfer to a third party is one in which the Builder has an ownership interest, whether individually, or as shareholder or as a general or limited partner to any extent in the acquiring entity.

3. This Agreement shall not be recorded in the Public Records of Dade County, Florida.

4. This Agreement shall be binding on the heirs, successors and assigns of the Developer and Builder. Notwithstanding anything contained herein above to the contrary, this agreement shall not be binding upon an institutional mortgagee (as hereinafter defined) which obtains title to a unit as a

result of foreclosure of its mortgage or to an institutional mortgagee or its designate which accepts the deed to any unit in lieu of foreclosure; however, said institutional mortgagee shall continue to be bound by the restrictions and limitations contained in the Declaration of Protective Covenants of the Villages of Homestead Homeowner's Association. An "institutional mortgagee" shall be defined herein as any federally or state chartered commercial bank or Savings and Loan association.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

Signed, Sealed and Delivered  
in the Presence of:

*Michelle J. Satham*  
Michelle J. Satham

(as to both)

GROSSMAN HOLDINGS LIMITED,  
BLEEMAN HOLDINGS LIMITED, THE  
MERIDIAN BUILDING GROUP  
LIMITED and MARKBOROUGH  
PROPERTIES LIMITED, all  
Canadian corporations doing  
business as HOMESTEAD PROPERTIES

BY:

*Kenneth C. Comyns*  
KENNETH C. COMYNS  
ATTORNEY-IN-FACT

BY:

*Charles G. Smith, Jr.*  
CHARLES G. SMITH, JR.  
ATTORNEY-IN-FACT

("Developer")

VETERANS CONSTRUCTION CORPORATION  
a Delaware corporation

BY:

*Steve Rattner*  
STEVE RATTNER  
EXECUTIVE VICE-PRESIDENT

(Corporate Seal)

*Michelle J. Satham*  
Michelle J. Satham

CITY OF HOMESTEAD

BY:

*Irving Peskoe*  
IRVING PESKOE  
MAYOR

*Michelle J. Satham*

*Theresa Breckneridge*

ATTEST:

*Alphonso Milligan*  
ALPHONSO MILLIGAN  
CITY CLERK

APPROVED AS TO FORM AND CONTENT

*Michael E. Watkins*  
MICHAEL E. WATKINS  
CITY ATTORNEY

Final version  
6/3/85

1985 JUN 18 AM 9:53  
OFF 12545 PG 1105  
REC

85R182314

ORDINANCE NO. 85-05-33

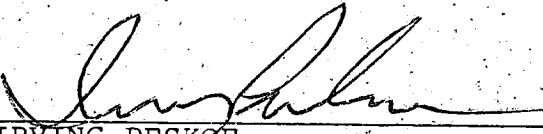
AN ORDINANCE OF THE CITY OF HOMESTEAD,  
FLORIDA, AMENDING ORDINANCE NO. 75-11-69,  
AS AMENDED, TO CHANGE THE LEGAL  
DESCRIPTION CONTAINED THEREIN ON  
PROPERTIES ZONED PUD TO INCLUDE CERTAIN  
OUT-PARCELS. SAID AMENDMENTS TO  
ORDINANCE NO. 75-11-69, AS PREVIOUSLY  
AMENDED, SHALL REZONE SAID OUT-PARCELS  
TO PUD. SAID MATTER HAVING BEEN HEARD  
BY THE PLANNING & ZONING BOARD OF THE  
CITY OF HOMESTEAD UNDER PUBLIC HEARING  
NO. 85-29.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That ordinance no. 75-11-69, as amended, be  
and the same is hereby amended to add to the PUD zoning,  
established under ordinance 75-11-69, as amended, the following  
described properties attached to this ordinance, incorporated  
fully herein, and described as exhibit "A".

Section 2. That the parcels of property contained in  
exhibit "A" herein shall assume the density of the surrounding  
parcels once incorporated into the PUD zoning.

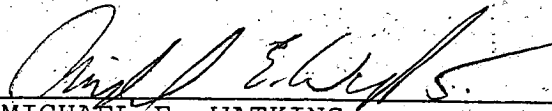
PASSED AND ADOPTED this 3<sup>rd</sup> day of June, 1985.

  
IRVING PESKOE  
MAYOR

ATTEST:

  
ALPHONSO MILLIGAN  
CITY CLERK

APPROVED AS TO FORM & CORRECTNESS:

  
MICHAEL E. WATKINS  
CITY ATTORNEY



13.00  
M



EXHIBIT "A"

PARCEL 1

A parcel of land being Lot 16, less the North 200 feet of the East one-half and the West one-half of Lot 1, Block 2, "Miami Land and Development Company", according to the plat thereof as recorded in Plat Book 5, Page 10 of the Public Records of Dade County, Florida, less therefrom the dedicated road rights-of-way on the Northerly and Easterly side thereto, said parcel being more particularly described by "metes and bounds" as follows:

COMMENCE at the Northwest corner of Section 29, Township 57 South, Range 39 East; thence N89°30'31"E along the North line of said Section 29 for 2033.76 feet to an intersection with the Northerly prolongation of the Westerly line of said Lot 1; thence South 0°29'28" East along said Northerly prolongation of the West line of said Lot 1 for 50.00 feet to an intersection with the Southerly right-of-way line of Palm Drive; said intersection also being the Point of Beginning of the hereinafter described parcel of land; thence N89°30'31" East along said Southerly right-of-way line of Palm Drive for 323.96 feet; thence S0°29'35"E for 855.08 feet; thence N89°29'32"E for 323.98 feet to an intersection with the Westerly right-of-way line of Farm Life School Road; thence S0°29'41"E along said Westerly right-of-way line for 414.99 feet to an intersection with the Southerly line of said Lot 16; thence S89°28'33"W along said Southerly line for 648.01 feet to an intersection with the West line of said Lot 16; thence N0°29'28"W along the West line of said lot 16 and Lot 1 for 1270.35 feet to the Point of Beginning. Said parcel contains 12.54 acres more or less.

PARCEL 2

Lot 4 in Block 1 of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION in Section 29, Township 57 South, Range 39 East, according to the plat thereof, recorded in Plat Book 5, at Page 10, of the Public Records of Dade County, Florida. Said parcel contains 10.00 acres more or less.

PARCEL 3

Lot 14, Block 3, of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION in Section 21, Township 57 South, Range 39 East, according to the plat thereof, recorded in Plat Book 5, at Page 10, of the Public Records of Dade County, Florida. Said parcel contains 10.00 acres more or less.

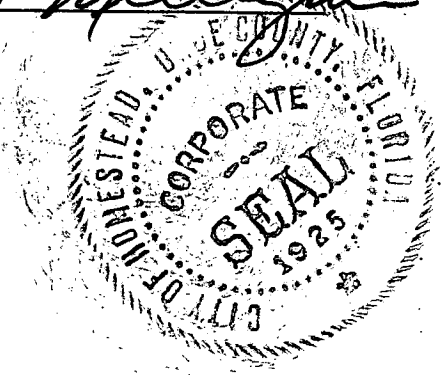
CERTIFICATE OF CLERK

I HEREBY CERTIFY that a motion was made by Mr. Kirk  
seconded by Mr. Warren, for the adoption of the foregoing  
Ordinance No. 85-05-33, and upon being put to a vote, the  
vote was as follows:

Harold Ely	Yes
Jeff Kirk	Yes
W.F. Dickinson	Yes
J.W. DeMilly, III	Yes
Nicholas Sincore	Yes
Roscoe Warren	Yes
Irving Peskoe	Yes

The Mayor thereupon declared the Ordinance duly passed and  
adopted by the City Council of the City of Homestead, Dade County,  
Florida this 3rd day of June, 1985.

*Alphonse V. Pellegrini*  
City Clerk



RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA  
RECORD VERIFIED  
RICHARD E. BRINKER  
CLERK CIRCUIT COURT

1985 JUN 18 AM 9 53

85R182315

OFF REC 12545 PG 1108

DEVELOPMENT ORDER ORDINANCE NO. 85-05-34

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING DEVELOPMENT ORDINANCE NO. 84-05-33 (LAST REVISED DEVELOPMENT ORDER FOR THE VILLAGES OF HOMESTEAD, A DEVELOPMENT OF REGIONAL IMPACT); APPROVING CERTAIN CHANGES IN THE MASTER PLAN, AS AMENDED, FOR THE DEVELOPMENT OF THE VILLAGES OF HOMESTEAD; ADOPTING A NEW PHASING PLAN FOR THE VILLAGES OF HOMESTEAD AND DECLARING SAID CHANGES NOT TO BE A MATERIAL OR SIGNIFICANT DEVIATION IN THE OVERALL MASTER PLAN THEREOF UNDER CHAPTER 380, FLORIDA STATUTES OR THE CODE OF LAWS OF THE CITY OF HOMESTEAD.

WHEREAS, the City of Homestead has adopted Ordinance No. 75-11-70 which constituted a development order under Chapter 380, Florida Statutes (1972) for the Villages of Homestead, a development of regional impact; and

WHEREAS, Ordinance No. 75-11-70 was amended by Ordinance No. 76-02-9 of the City of Homestead (hereinafter the "Development Order") to resolve an appeal filed by the South Florida Regional Planning Council with the Florida Land and Water Adjudicatory Commission; and

WHEREAS, the City of Homestead has permitted insubstantial changes to the Development Order pursuant to Resolution No. 75-10-32, Ordinance No. 81-07-47 and Ordinance No. 84-05-33 (collectively referred to as the Amended Development Order); and

WHEREAS, the Owners and Developers of the Villages of Homestead has petitioned the Planning and Zoning Board of the City of Homestead to amend its Master Development Plan in the following respects:

(a) To amend the Planned Unit Development Ordinance for the Villages of Homestead by adopting the revised Development Plan, prepared by Environmental Planning and Design, entitled "Villages of Homestead Master Development Plan," last revised April 22, 1985;

(b) To amend the Amended Development Order issued by the City of Homestead for the Villages of Homestead by adopting the proposed Master Development Plan and the revised Development Phasing Schedule; and

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(c) To find that the above proposed changes do not represent a substantial deviation under Section 380.06(17)(a), Florida Statutes or a significant change in the approved Master Development Plan under the Code of Laws of the City of Homestead; and

WHEREAS, the changes to the Villages of Homestead's Master Development Plan include (a) the establishment of a 186.30 acre city park site in Zone 4, Sector 15 per the request of the City; (b) the location of a 20.63 acre city park site in Zone 2, Sector 9; (c) the inclusion of certain out-parcels into the Master Development Plan for the Villages of Homestead in a manner which does not result in any increase density in the project; (d) the elimination of linear parks and certain neighborhood parks as a result of transferring park acreage to the new city park in Zone 4; (e) the relocation of a junior high school site to Sector 20 per the request of the Dade County School Board; (f) the elimination of an elementary school site in Zone 1, Sector 1, per the recommendation of the Dade County School Board; (g) the relocation of the 150 acre golf course from Zone 4, Sector 15 to Zone 3; (h) the relocation of certain road alignments; (i) the creation of traffic zones within the project with the right to shift up to 10% of the number of units within any sector in a zone over the number of units shown for that sector provided that the total number of the units by type within the zone will not exceed the specified number already allowed under the current Master Development Plan; (j) the adoption of a new Phasing Plan for the Villages of Homestead; and (k) the addition of certain conditions recommended by the staff of the South Florida Regional Planning Council relating to energy conservation, hazardous material/waste protection and transportation monitoring; and

WHEREAS, the above changes do not result in any increase in the number of dwelling units approved for the Villages of Homestead or any major redistribution of those dwelling units or in any reduction in the number of acres provided for open area within the Villages of Homestead Master Development Plan as originally adopted; and

WHEREAS, the Villages of Homestead has submitted into the record in support of its application a traffic report prepared by David Plummer and Associates, entitled "Villages of Homestead - Traffic Update," which determined that the roadway network as originally shown in the DRI will provide adequate levels of service through the year 2015 to accommodate the buildout schedule for the 14,465 units approved for the Villages of Homestead in that the location of 10% of the units within each of the traffic zones established on the revised Development Master Plan could be shifted within that zone without effecting the level of service estimated, and the Villages also submitted a letter from the Assistant Supervisor, Site Planning Section, Dade County Public Schools, relating to the changes recommended by her office; and

WHEREAS, the Villages of Homestead has petitioned the Planning and Zoning Board of the City of Homestead and the City Council of the City of Homestead to approve the above changes in the Master Plan, as amended, for the development of the Villages of Homestead; and

WHEREAS, the Planning and Zoning Board has recommended these changes to the City Council of the City of Homestead by virtue of approval of Public Hearing No. 85-29, with the condition that the 20.63 acre park site in Zone 2, Sector 5 be relocated so that it does not abut on any currently developed properties; and

WHEREAS, the City Council of the City of Homestead does find and determine that the proposed revisions to the Village's Phasing Schedule and Land Use Master Development Plan, as amended, do not constitute a substantial deviation to the previously approved Development of Regional Impact. In making this determination, the City Council has reviewed the proposed changes, pursuant to the criteria as set forth in Section 380.06(17), Florida Statutes, and finds that the proposed deviations do not create a reasonable likelihood of additional adverse regional impact, or in any other regional impact not previously reviewed

by the City of Homestead or the South Florida Regional Planning Council; and

WHEREAS, the City Council of the City of Homestead does find and determine that the proposed land use revisions to the Villages of Homestead Master Development Plan, as amended, as set forth, do not constitute a significant change in the approved Master Development Plan, as amended, and as provided in Section 31A-100 of the Code of Laws of the City of Homestead.

NOW, THEREFORE, be it ordained by the City Council of the City of Homestead, Dade County, Florida:

1. That this Ordinance shall constitute an amendment to the Amended Development Order for the Development of Regional Impact known as the Villages of Homestead, the legal description of which is attached hereto as Exhibit A, and that the revisions proposed to the Phasing Schedule for the Villages of Homestead and to the Villages of Homestead Master Development Plan, as amended, are hereby approved and determined not to be a substantial deviation under Chapter 380.06(17), Florida Statutes or represent a significant change in the approved Master Development Plan, as amended, as provided in Section 31A-100 of the Code of Laws of the City of Homestead.

2. That the certain out-parcels legally described in Exhibit B hereto are incorporated as part of the Villages of Homestead Master Development Plan.

3. In lieu of providing reports regarding energy conservation, the following energy conservation measures shall be incorporated into project design and operation of residential buildings (except in platted and/or developed areas of Zone 1 in existence as of the date of this Amended Development Order:

- a. Where feasible use of natural gas for cooking, space heating, and water heating.
- b. Measures where practical that effectively yield, in the cooling mode, R-11 in walls and R-19 in ceilings.

- c. Use of flow restricting shower heads.
- d. High efficiency air conditioning systems with minimum energy efficiency ratios (EER) of 9.5.
- e. Where feasible use of solar water heaters in single-family homes and townhouses, and heat recovery water heaters (with gas backup) in low rise multi-family structures.
- f. In multi-family buildings, individual electric metering of tenants.
- g. Where feasible, minimize east-west wall area where for a majority of residential structures no more than 40 percent of total wall surface faces east and west.

Furthermore, the following energy conservation measures shall be incorporated into the project design and operations of non-residential buildings.

- a. Maximize the flexibility of air conditioning systems to cool only occupied areas (on at least a floor by floor basis).
- b. Air distribution using a variable air volume system, where practical.
- c. Air conditioning energy efficiencies (EER) of 10.0.
- d. Measures that effectively yield, in the cooling mode, R-7 in walls and R-19 in ceilings.
- e. Thermal isolation of non-critical areas such as closets and other storage areas, to reduce cooled space where feasible.
- f. For buildings over 75,000 square feet, central energy management systems that will provide start/stop optimization, time of day scheduling, electric demand limiting, night temperature set back/startup, programmed maintenance, and building lighting control.

- g. Non-electric energy sources for cooking, space heating, and water heating where practical.
- h. Where feasible individual electric metering of tenants.
- i. Minimize use of incandescent lighting with maximum use of task lighting and natural lighting where possible.
- j. Use of low water volume toilets, limited to 3.5 gallons per flush.
- k. Where feasible, minimize east-west wall areas where for a majority of buildings no more than 40 percent of total wall surface faces east and west.
- l. Use exterior shading or tinted or reflective glass to reduce the amount of direct sunlight entering air conditioned areas.
- m. Use of light colors for exterior surfaces, where practical.
- n. Landscape shading of exterior wall surfaces of low rise buildings.
- o. Bicycle support facilities, including secure bike racks or storage areas, and, if feasible, on-site bicycle paths.
- p. Landscaping where feasible to shade, on the average, fifty percent of parking space, between 10:00 AM and 5:00 PM, after eight years of growth (one tree for every six parking spaces, assuring a 15 foot canopy).
- q. An internal circulation system designed to minimize automobile/pedestrian/bicycle conflicts.

4. The Owners and Developers of the Villages of Homestead, and their successors and assigns, shall provide in the employment, commercial, hospital and office areas, by restrictive covenant and/or lease or sales agreements, as applicable, hazardous materials accident prevention, mitigation, and response



standards, to be met by the Villages of Homestead, its successors or assigns, and all tenants classified by a SIC code listed in Attachment 1 that use, handle, store, display, or generate hazardous materials (ignitable, corrosive, toxic, or reactive), including those identified in Attachment 2; provided, however, that the uses in Attachment 1 and the wastes in Attachment 2 shall be simultaneously amended upon the addition or deletion of any or all listed uses, materials, or wastes by amendment to the "County and Regional Hazardous Waste Assessment Guidelines" incorporated by reference into Rule 17-31.03(2), Florida Administrative Code. At a minimum, these standards shall:

- a. Require that areas within buildings where hazardous materials or hazardous wastes are to be used, displayed, handled, generated, or stored shall be constructed with impervious floors, without drains, to ensure containment and facilitate cleanup of any spill or leakage.
- b. Require that the loading/unloading of any hazardous material or hazardous waste shall occur in a covered loading/unloading dock with a spill containment area not connected to the project storm drainage or sanitary sewage system.
- c. Prohibit any outside storage of hazardous materials or hazardous waste.
- d. Require all hazardous waste generators to contract with a licensed public or private hazardous waste disposal service or processing facility and to provide to Dade County DERM copies of one of the following forms of documentation of proper hazardous waste management practices:
  1. A hazardous waste manifest;
  2. Shipment to a permitted hazardous waste management facility; or
  3. A confirmation of receipt of materials from a recycler or a waste exchange operation.

- e. Notify any tenant generating wastes of the penalties for improper disposal of hazardous waste pursuant to Section 403.727, Florida Statutes.
- f. Allow reasonable access to facilities for monitoring by the City, Dade County DERM, and Florida DER to assure compliance with this condition and all applicable laws and regulations.

5. The Owners and Developers of the Villages of Homestead shall provide the Council and the City with copies of the project's Homeowners Association Management and Operation Plan. This plan shall provide assurances to the Council and the City that the Association is responsible, on a continuing basis, for maintenance and upkeep of common open space, and for implementation and enforcement of the Plan and all conditions of the DRI Development Order applying to that portion of the development in which the Association has jurisdiction. Additionally, a similar plan shall be submitted by the Owners and Developers of the Villages of Homestead, or their successors and assigns, and reviewed and approved by the City and the South Florida Regional Planning Council for the industrial park prior to issuance of any Certificates of Occupancy for buildings within the industrial park boundaries.

6. For all future project landscaping, use only those plant species specified in Attachment 3 hereto.

7. The Owners and Developers of the Villages of Homestead shall prepare and submit to the City and to the South Florida Regional Planning Council a consolidated application for development approval which reflects all changes approved by the Amended Development Order and by this Development Order Ordinance within six months from the date of adoption of this Ordinance.

8. At such time that 70 to 75% of the residential units have received Certificates of Occupancy, the Owners and Developers of the Villages of Homestead, or their successors, may submit a traffic study to the City and the South Florida Regional Planning Council that will reassess the need for:

- (1) S.W. 328th Street as 6 lanes from U.S.1 to the Project.
- (2) S.W. 344th Street as 6 lanes from U.S.1 to the Project.
- (3) S.W. 157th Avenue from the Project to S.W. 312th Street.

That traffic study shall identify current and projected future levels of service at Project buildout on those roadways and document that acceptable levels of service can be maintained with S.W. 328th Street and S.W. 344th Street as a four-laned cross-sections and S.W. 157th Avenue replaced by a four-laned cross-section on S.W. 162nd Avenue.

9. The Director of Planning shall monitor compliance with all conditions of the Amended Development Order and specify monitoring procedures to insure such compliance.

10. Homestead Properties and its successors shall submit a report twelve (12) months from the date of this Amended Development Order and each twelve (12) months thereafter until Certificates of Occupancy are issued for all buildings in the project; this report shall be submitted to the Director of Planning; the State of Florida Department of Community Affairs, Division of Local Resources Management; and the South Florida Regional Planning Council. This report shall contain for the preceding twelve (12) months:

- a. A general description of construction progress in terms of construction dollars and employment compared to the schedule in the applicant's Application for Development Approval.
- b. Specific progress in response to compliance with enumerated specific conditions of this Order.
- c. A cumulative list of all permits or approvals applied for, approved or denied.
- d. A statement as to whether any approved construction changes in the ensuing twelve (12) months are expected to deviate substantially from the approvals included in this Amended Development Order.

e. Any additional responses required by rules adopted by the State of Florida Department of Community Affairs.

11. The applicant shall record a notice of adoption of the Amended Development Order with the Clerk, Dade County Circuit Court, pursuant to Section 380.06(14(d), F.S., specifying that the Development Order runs with the land and is binding on the Applicant, its successor, and/or assigns.

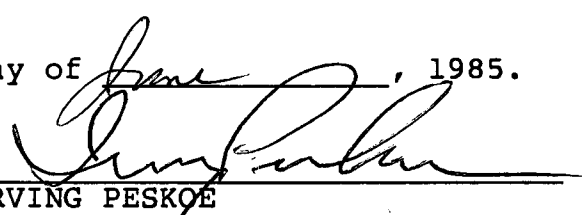
Copies of this Order are to be sent to the South Florida Regional Planning Council; the Florida Department of Community Affairs, Division of Local Resources Management and to ABIG.

The Planning Director is hereby directed to make the necessary changes and notations upon the maps and records of the City of Homestead.

12. That the applicant is hereby instructed that all future development within the property known as the Villages of Homestead shall be compatible with existing development, for purposes of interpretation under this ordinance compatible means not only in building style, architectural design and color scheme, but also in the use of said property so that there will be a gradual transaction from single family to multiple family dwellings and from multiple family dwellings to business, commercial, and other higher density uses.

13. That any permissions granted in this ordinance or certain actions necessary to be done by the Villages of Homestead shall not, in any way, be construed to waive any requirements of the South Florida Building Code.

PASSED AND ADOPTED this 3<sup>rd</sup> day of June, 1985.

  
IRVING PESKOE  
MAYOR

ATTEST:

  
ALPHONSO MILLIGAN  
CITY CLERK



APPROVED AS TO FORM &  
CORRECTNESS:

  
MICHAEL E. WATKINS  
CITY ATTORNEY

EXHIBIT "A"

A TRACT OF LAND DESCRIBED AS PORTIONS OF SECTIONS 16, 17, 19, 20, 21, 22, 23, 26, 27, 28, AND 29, IN TOWNSHIP 57 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 20; THENCE N88°26'49"E ALONG THE NORTH LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 20 FOR 2720.41 FEET TO THE NORTHEAST CORNER OF SAID N.W.  $\frac{1}{4}$ , THE SAME BEING THE SOUTHWEST CORNER OF THE S.E.  $\frac{1}{4}$  OF SAID SECTION 17; THENCE N88°26'49"E ALONG THE SOUTH LINE OF THE S.E.  $\frac{1}{4}$  FOR 525 FEET±; THENCE NO° 22'40"W ALONG THE WEST LINE OF SAID 525 FEET FOR 998.09 FEET; THENCE N89°41'28"E ALONG THE NORTH LINES OF LOTS 17 THROUGH 20 INCLUSIVE, OF BLOCK 4, OF SAID SECTION 17 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND THE WESTERLY EXTENSION OF SAID LINES, FOR 835 FEET TO THE NORTHEAST CORNER OF SAID LOT 20, THE SAME BEING THE SOUTHWEST CORNER OF LOT 27 OF SAID BLOCK 4; THENCE NO°27'49"W ALONG THE WEST LINE OF SAID LOT 27 FOR 333.10 FEET TO THE NORTHWEST CORNER OF SAID LOT 27; THENCE N89°40'28"E ALONG THE NORTH LINE OF SAID LOT 27 AND ITS EASTERLY EXTENSION FOR 1356.89 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 16; THENCE N89°37'26"E ALONG THE NORTH LINES OF LOTS 14 AND 27 OF BLOCK 3, SECTION 16, OF SAID PLAT OF MIAMI LAND AND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES FOR 2667.41 FEET TO A POINT ON THE EAST LINE OF THE SW  $\frac{1}{4}$  OF SAID SECTION 16; THENCE N89°34'06"E ALONG THE NORTH LINE OF LOT 14 OF BLOCK 4 OF SAID SECTION 16, OF THE SAID PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND ITS WESTERLY EXTENSION FOR 1334.34 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE SO° 22'18"E ALONG THE EAST LINES OF LOTS 14 AND 20 OF SAID BLOCK 4 OF SECTION 16, AND THEIR SOUTHERLY EXTENSION FOR 1332.79 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE N89°31'49"E ALONG THE SAID SOUTH LINE OF SECTION 16 FOR 444.42 FEET; THENCE SO°28'57"E ALONG THE EAST LINE OF LOT 5 OF BLOCK 1 OF SAID SECTION 21 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND ITS NORTHERLY EXTENSION FOR 1002.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE N89°31'58"E ALONG THE NORTH LINE OF LOT 28 OF BLOCK 1 OF SAID SECTION 21, OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND ITS EASTERLY EXTENSION FOR 889.02 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 21; THENCE SO°29'34"E ALONG SAID EAST LINE OF SECTION 21 FOR 668.13 FEET; THENCE N89°34'52"E ALONG THE NORTH LINES OF LOTS 15 THROUGH 26 INCLUSIVE OF BLOCK 2 OF SAID SECTION 22, OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES FOR 2677.70 FEET TO A POINT ON THE EAST LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 22; THENCE SO°26'43"E ALONG THE SAID

EAST LINE OF THE N.W.  $\frac{1}{4}$  FOR 1002.52 FEET TO THE SOUTHEAST CORNER OF SAID N.W.  $\frac{1}{4}$ ; THENCE N89° 35'06"E ALONG THE NORTH LINE OF THE S.E.  $\frac{1}{4}$  OF SAID SECTION 22 FOR 2671.97 FEET TO THE NORTHEAST CORNER OF THE SAID S.E.  $\frac{1}{4}$  OF SECTION 22; THENCE N89°31'07"E ALONG THE NORTH LINE OF THE S.W.  $\frac{1}{4}$  OF SAID SECTION 23 FOR 2680.97 FEET TO THE NORTHEAST CORNER OF SAID S.W.  $\frac{1}{4}$ ; THENCE SO°19'11"E ALONG THE EAST LINE OF SAID S.W.  $\frac{1}{4}$  OF SECTION 23 FOR 2708.00 FEET TO THE SOUTHEAST CORNER OF SAID S.W.  $\frac{1}{4}$ ; THENCE SO°02'12"W ALONG THE EAST LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 26 FOR 2668.75 FEET TO THE SOUTHEAST CORNER OF THE SAID N.W.  $\frac{1}{4}$ ; THENCE S89°23'23"W ALONG THE SOUTH LINE OF THE SAID N.W.  $\frac{1}{4}$  FOR 2678.34 FEET TO THE SOUTHWEST CORNER OF SAID N.W.  $\frac{1}{4}$ ; THENCE S89°39'32"W ALONG THE SOUTH LINE OF THE N.E.  $\frac{1}{4}$  OF SAID SECTION 27, FOR 2657.97 FEET TO THE SOUTHWEST CORNER OF THE SAID N.E.  $\frac{1}{4}$ ; THENCE S89°39'37"W ALONG THE SOUTH LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 27 FOR 2657.98 FEET TO THE SOUTHWEST CORNER OF SAID N.W.  $\frac{1}{4}$ ; THENCE S89°34'33"W ALONG THE SOUTH LINE OF THE N.E.  $\frac{1}{4}$  OF SAID SECTION 28, FOR 2668.66 FEET TO THE SOUTHWEST CORNER OF SAID N.E.  $\frac{1}{4}$ ; THENCE S89°34'41"W ALONG THE SOUTH LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 28, FOR 2668.57 FEET TO THE SOUTHWEST CORNER OF SAID N.W.  $\frac{1}{4}$ ; THENCE S89° 26'43"W ALONG THE SOUTH LINE OF THE N.E.  $\frac{1}{4}$  OF SAID SECTION 29, FOR 2709.24 FEET TO THE SOUTHWEST CORNER OF SAID N.E.  $\frac{1}{4}$ ; THENCE S89°26'35"W ALONG THE SOUTH LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 29, FOR 2712.39 FEET TO THE SOUTHWEST CORNER OF SAID N.W.  $\frac{1}{4}$ ; THENCE NO°28'47"W ALONG THE WEST LINE OF THE SAID N.W.  $\frac{1}{4}$  OF SECTION 29, FOR 2673.04 FEET TO THE NORTHWEST CORNER OF SAID SECTION 29; THENCE NO°28'47"W ALONG THE EAST LINE OF SAID S.E.  $\frac{1}{4}$  OF SECTION 19 FOR 1335 FEET TO THE SOUTHEAST CORNER OF LOT 16, BLOCK 4, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10); THENCE S89°12'01"W ALONG SAID SOUTH LINE OF LOT 16 TO THE SOUTHWEST CORNER; THENCE NO°36'48"W ALONG THE WEST LINE OF SAID LOT 16 TO THE NORTHWEST CORNER; THENCE CONTINUE NO°36'48"W ALONG SAID LOT 1 OF BLOCK 4, MIAMI LAND AND DEVELOPMENT COMPANY SUB 660' TO A POINT ON THE SOUTH LINE OF THE N.E.  $\frac{1}{4}$  OF SECTION 19; THENCE S89° 12'01"W ALONG THE SAID SOUTH LINE OF THE N.E.  $\frac{1}{4}$  OF SECTION 19 FOR 340' TO THE NORTHEAST CORNER OF LOT 3, BLOCK 4, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10); THENCE SO°28'47"W ALONG THE EAST LINE OF SAID LOT 3 FOR 1350' TO THE SOUTH LINE OF LOT 3; THENCE S89°30'40"W FOR A DISTANCE OF 330' TO THE SOUTHWEST CORNER OF LOT 3; THENCE NO°28'47"W ALONG THE WEST LINE OF LOT 3 FOR 1350' TO A POINT OF INTERSECTION WITH THE N.E.  $\frac{1}{4}$  OF SECTION 19; THENCE CONTINUE S89°12'01"W FOR A DISTANCE OF 350' TO THE WEST LINE OF LOT 11, BLOCK 1, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10) IN THE N.E.  $\frac{1}{4}$  OF SECTION 19; THENCE CONTINUE NO°28'47"W FOR 1500' TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE FLORIDA TURNPIKE STATE ROAD #821; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD #821 FOR 1800' TO THE SOUTH RIGHT OF WAY LINE OF S.E. 8 STREET, ALSO KNOWN AS THE NORTH LINE OF LOT 1, BLOCK 1, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10), SECTION 19; THENCE N89°31'07"E FOR 220' TO THE POINT OF BEGINNING.

EXHIBIT "B"PARCEL 1

A parcel of land being Lot 16, less the North 200 feet of the East one-half and the West one-half of Lot 1, Block 2, "Miami Land and Development Company", according to the plat thereof as recorded in Plat Book 5, Page 10, of the Public Records of Dade County, Florida, less therefrom the dedicated road rights-of-way on the Northerly and Easterly side thereto, said parcel being more particularly described by "metes and bounds" as follows:

COMMENCE at the Northwest corner of Section 29, Township 57 South, Range 39 East; thence N 89°30'31" E along the North line of said Section 29 for 2033.76 feet to an intersection with the Northerly prolongation of the Westerly line of said Lot 1; thence South 0°29'28" East along said Northerly prolongation of the West line of said Lot 1 for 50.00 feet to an intersection with the Southerly right-of-way line of Palm Drive; said intersection being also the Point of Beginning of the hereinafter described parcel of land; thence N 89°30'31" East along said Southerly right-of-way line of Palm Drive for 323.96 feet; thence S 0°29'35" E for 855.08 feet; thence N 89°29'32" E for 323.98 feet to an intersection with the Westerly right-of-way line of Farm Life School Road; thence S 0°29'41" E along said Westerly right-of-way line for 414.99 feet to an intersection with the Southerly line of said lot 16; thence S 89°28'33" W along said Southerly line for 648.01 feet to an intersection with the West line of said Lot 16; thence N 0°29'28" W along the West line of said Lot 16 and Lot 1 for 1270.35 feet to the Point of Beginning. Said parcel contains 12.54 acres more or less.

PARCEL 2

Lot 4 in Block 1, of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION in Section 19, Township 57 South, Range 39 East, according to the Plat thereof, recorded in Plat Book 5, at Page 10, of the Public Records of Dade County, Florida.

PARCEL 3

Lot 14, Block 3, of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION in Section 21, Township 57 South, Range 39 East, according to the Plat thereof, recorded in Plat Book 5, at Page 10, of the Public Records of Dade County, Florida.

Paul;

Here's that plant  
list that was  
supposed to be  
part of 85-05-34  
(but wasn't attached!)

Also, I'll call SFRPC  
and see if they have  
been any changes since  
1985. It's their  
list.

Bob



**KEYS GATE**

Golf & Tennis Club

Gateway to the Florida Keys.

**BOB HUTCHINSON**

Land Development Manager

1820 S. Canal Drive, Homestead, FL 33035

(305) 245-3030 • FAX (305) 247-7411

Developed by Florida Design Communities



# RECOMMENDED PLANT SPECIES

## Trees

*Acacia eurylophanta* (Earleaf acacia)  
*Acacia cynophylla* (Wach acacia)  
*Acacia farnesiana* (Sweet acacia)  
*Achras zapota* (Sapodilla)  
*Acrotychum vrilgii* (Paurolis palm, Cape snail palm)  
*Arecastrum romanzoffianum* (Queen palm)  
*Avicennia germinans* (Black mangrove)  
*Bauhinia* spp. (Orchid trees)  
*Brassia actinophylla* (Schefflera)  
*Bucida buxares* (Black olive)  
*Bursera almeria* (Gumbo limbo)  
*Butea capitata* (Pindo palm)  
*Calliandra homalocarpa* (Powderpuff)  
*Callistemon rigidus* (Erect bottlebrush)  
*Callistemon* spp. (Bottlebrush)  
*Canella winterana* (Wild cinnamon)  
*Cassia fistula* (Golden shower)  
*Calba penlandra* (Calba)  
*Chamaedorea* spp. (Household palms)  
*Chamaerops humilis* (European fan palm)  
*Charisia speciosa* (Floss silk tree)  
*Chrysalidocarpus lutescens* (Areca palm, Madagascar palm)

*Chrysophyllum oliviforme* (Satinleaf)  
*Citrus aurantiifolia* (Key lime)  
*Citrus paradisi* (Minnola Tangelo)  
*Citrus reticulata* (Minnola Tangelo)  
*Clusia rosea* (Pitch apple)  
*Coccoloba diversifolia* (Pigeon plum)  
*Coccoloba grandiflora* (Big leaf sea grape)  
*Coccoloba uvifera* (Sea grape)  
*Coccothrinax argentata* (Florida silver palm)  
*Cochlospermum vitifolium* (Buttercup tree)  
*Cocos nucifera* "May pen" (May pen, coconut palm)  
*Conocarpus erectus* (Buttonwood)  
*Conocarpus erectus* "sericeus" (Silver buttonwood)  
*Cordia sebestena* (Geiger tree)  
*Delbergia sissoo* (Indio Rosewood, Sisso)  
*Delonix regia* (Royal poinciana)  
*Drypetes laetiflora* (Gulena plum)  
*Eriobotrya japonica* (Loquat)  
*Erythrina crista-galli* (Dockspr coral-tree)  
*Eugenia eximilis* (White stoppers)  
*Eugenia confusa* (Red stoppers)  
*Eugenia foetida* (Spanish stoppers)  
*Ficus citrifolia* (Short leaf fig)

*Gravillia banksii* (Banks gravillia)

*Gravillia robusta* (Silk oak)

Very large tree, not for residential use.

*Guaiacum sanctum* (Lignum-vitae)

*Hibiscus tiliaceus* (Sea hibiscus, Hibiscus tree, Mahoe)

*Ilex cassine* (Dehoon holly)

*Jacaranda acutifolia* (Jacaranda)

*Juniperus siliicicola* (Southern red cedar)

*Koelreuteria formosana* (Golden rain-tree)

*Krugiodendron ferreum* (Black ironwood)

*Lagerstroemia indica* (Crape-Myrtle)

*Laguncularia racemosa* (White mangrove)

*Licania triandra* (Gulf licania)

*Licuala grandis* (Licuala palm)

*Lysiloma bahamensis* (Wild tamarind)

*Lysiloma latissimum* (Wild tamarind)

*Manihara bahamensis* (Wild dilly)

*Mastichodendron foetidissimum* (Mastic)

*Musa hybrida* (Banana)

*Myrica caribaea* (Southern wax myrtle)

*Parkinsonia aculeata* (Jerusalem thorn)

*Peltophorum linearis* (Yellow poinciana)

*Pinus clausa* (Sand pine)

*Pinus elliotii* (Slash pine)

*Pinus elliotii* var. *caribaea* (Keys slash pine)

*Pinelind azecis*

*Placida piscinularis* (Jamaica nutmeg)

*Pisonia longitolla* (Blolly)

*Platycolobium dulce* (Cat's claw tree, Manilla tamarind)

*Plumeria* spp. (Frangipani)

*Poinciana pulcherrima* (Dwarf poinciana)

*Pseudophoenix sargentii* (Florida cherry palm)

*Ptychosperma elegans* (Santrothie palm)

*Ptychosperma macarthurii* (MacArthur palm)

*Quercus virginiana* (Live oak)

*Rhizophora mangle* (Red mangrove)

*Roystonea elata* (Royal palm)

*Roystonea regia* (Cuban royal palm)

*Sabal palmetto* (Cabbage palm)

*Sarcocrepis repens* (Sav palmetto)

*Simerouba glauca* (Paradise tree)

*Sophora japonica* (Japanese pagoda tree)

*Spathodea campanulata* (African tulip tree)

*Sulstenia mahoganii* (West Indies mahogany)

*Tabebula argentea* (Tree of gold)

*Tabebula pallida* (Pink trumpet tree)

*Tamarindus indica* (India tamarind)

*Terminalia catappa* (Tropical almond)

*Taxodium* (Cypress)

*Thespesia populanea* (Portia tree, seaside mahoe)

*Thrinax morrisii* (Keys thatch palm)

*Thrinax radiata* (Florida thatch palm)

*Thrinax* spp. (Thatch palm)

*Washingtonia robusta* (Washington palm)

Shrubs, Vines, and Ground Covers

*Acalypha hispida* (Chenille plant)  
*Acalypha wilkesiana* (Copperleaf)  
*Alpinia* spp. (Shell flower)  
*Amonium* (Torch ginger)  
*Antigonon leptopus* (Coral vine)  
*Ardisia crenata* (Christmas berry)  
*Asparagus* spp. (Asparagus fern)  
*Begonia* spp. (Rex begonia)  
*Byrsonima lucida* (Locustberry)  
*Calliandra homalocarpa* (Pouderpuff)  
*Calliandra americana* (American beautybush)  
*Campsis radicans* (Trumpet vine)  
*Cassia* spp. (Cassia)  
*Cassia bahamensis* (Cassia)  
*Chrysobalanus icaco* (Cocoplum)  
*Cladium* (Sawgrass)  
*Codiaeum variegatum* (Croton)  
*Donocarpus erectus* (Green buttonwood)  
*Donocarpus erectus sericeus* (Silver buttonwood)  
*Donocarpus erectus sarocens* (Silver buttonwood)  
*Croton* spp. (Spiral fling)  
*Dodonaea viscosa* (Vernish leaf)  
*Dombeya unguiculata* (Pink bell)  
*Eranthemum nervosum* (Blue sage)  
*Eugenia malliaris* (White stopper)

*Eugenia confusa* (Red stopper)  
*Eugenia foetida* (Spanish stopper)  
*Eugenia uniflora* (Surinam cherry)  
*Forestiera sagregata* (Florida privet)  
*Gardenia jasminoides* (Gardenia)  
*Gustavia discolor* (Blotchy)  
*Hamelia patens* (Scarletbush, firebush)  
*Hedyotis coronaria* (Butterfly lily)  
*Hedyotis flavum* (Yellow lily)  
*Hedyotis garonaria* (Kahlil lily)  
*Hedyotis* spp. (Ginger lily)  
*Helianthus divinus* (Beach sunflower)  
*Hibiscus rose-sinensis* (Hibiscus)  
*Hymenocallis latifolia* (Spider lily)  
*Ilex glabra* (Galiberry)  
*Ilex vomitoria nana* (Dwarf yaupon holly)  
*Ipomoea* spp. (Morning glories, railroad vine)  
*Ixora coccinea* (Ixora)  
*Ixora macrophylla* (Majesty Ixora)  
*Jasminum multiflorum* (Downy jasmine)  
*Jatropha multifida* (Peregrina)  
*Juniperus chinensis columnaris* (Juniper)  
*Juniperus conferta* (Shore juniper)  
*Lagerstromia indica* (Crape-myrtle)

*Lantana depressa* (Dwarf lantana)

*Ligustrum* spp.<sup>o</sup> (Privet)

*Liriodendron* spp. (Lily turf)

*Murraya paniculata*<sup>o</sup> (Orange jasmine)

*Myrsine fragrans* (Slipson stopper)

*Myrsine coccinea* (Jaboticaba)

*Myrica cerifera* (Southern wax myrtle, Bayberry)

*Onoclea sensibilis* (Mondo grass)

*Papaver rhoeas* (Poppy)

*Polemonium coeruleum* (Queen's wrenth)

*Phlox paniculata* (Torch ginger)

*Philodendron* spp.<sup>o</sup> (Self healing philodendron)

*Pinus elliotii* variety *densa* (Dade county pine)

*Platanus guianensis* (Blackbead)

*Platanus* spp. (Frangipani)

*Podocarpus* spp.<sup>o</sup> (Podocarpus)

*Polycarpha balfouriana* (Half four o'clock)

*Pontederia* (Pimpernel)

*Psychotria nervosa* (Wild coffee)

*Randia aculeata* (Randia, white Indian berry)

*Reynoldsia septentrionalis* (Darling plum)

*Sagittaria* (Arrowhead)

*Scaevola plumieri* (Inkberry)

*Scirpus* (Rush)

*Sophora tomentosa* (Black locust)

*Stenolobium spensei* (Yellow elder)

*Suriana maritima* (Bay cedar)

*Tecoma capensis* (Cape honeysuckle)

*Taxodium* (Cypress)

*Tetraglea bicolor* (Tetraglea, West Indian lime)

*Thunbergia erecta*<sup>o</sup> (Kings - Mantle)

*Thunbergia* spp.<sup>o</sup> (Clock vine)

*Thunbergia glauca* (Thunbergia)

*Trichospermum jamaicense* (Confederate jasmine)

*Uncaria paniculata* (Sea oats)

*Viburnum suspensum* (Sandbar viburnum)

*Zamia floridana* (Ocotillo)

*Zanthoxylum fagara* (Wild lime)

KEY: <sup>o</sup> Exotic species

Source: SFRPC

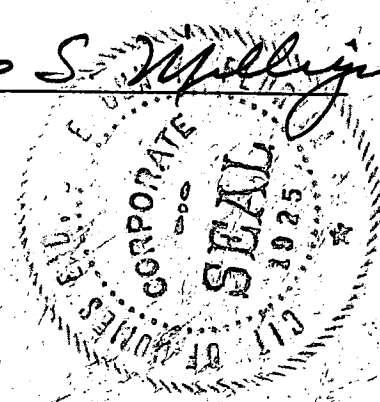
CERTIFICATE OF CLERK

I HEREBY CERTIFY that a motion was made by Mr. Kirk  
 seconded by Mr. Warren, for the adoption of the foregoing  
 Ordinance No. 85-05-34, and upon being put to a vote, the  
 vote was as follows:

Harold Ely	Absent
Jeff Kirk	yes
W.F. Dickinson	yes
J.W. DeMilly, III	yes
Nicholas Sincore	no
Roscoe Warren	yes
Irving Peskoe	yes

The Mayor thereupon declared the Ordinance duly passed and  
 adopted by the City Council of the City of Homestead, Dade County,  
 Florida this 6th day of June, 1985.

Alphonse S. Milligan  
 City Clerk



RECORDED IN OFFICIAL RECORDS BOOK  
 OF DADE COUNTY, FLORIDA  
 RECORD VERIFIED  
 RICHARD E. BRINKER  
 CLERK CIRCUIT COURT

AMENDED  
DEVELOPMENT ORDER ORDINANCE NO. 87-01-1 R

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING DEVELOPMENT ORDER ORDINANCE NO. 76-02-9 (AS PREVIOUSLY AMENDED BY DEVELOPMENT ORDINANCE NO. 84-05-33, AND DEVELOPMENT ORDER ORDINANCE NO. 85-05-34), THE LAST BEING THE LAST REVISED DEVELOPMENT ORDER FOR THE VILLAGES OF HOMESTEAD, A DEVELOPMENT OF REGIONAL IMPACT; APPROVING CERTAIN CHANGES IN THE MASTER PLAN, AS AMENDED, FOR THE DEVELOPMENT OF THE VILLAGES OF HOMESTEAD; AND DECLARING SAID CHANGES NOT TO BE A MATERIAL OR SIGNIFICANT DEVIATION IN THE OVERALL MASTER PLAN THEREOF UNDER CHAPTER 380, FLORIDA STATUTES, OR THE CODE OF LAWS OF THE CITY OF HOMESTEAD.

WHEREAS, the City of Homestead has adopted Ordinance No. 75-11-70 which constituted a development order under Chapter 380 of the Florida Statutes (1972) for the Villages of Homestead, a development of regional impact; and

WHEREAS, the City of Homestead has adopted Ordinance No. 75-11-69 which rezoned the Villages of Homestead to Planned Unit Development; and

WHEREAS, Ordinance No. 75-11-70 was amended by Ordinance No. 76-02-9 of the City of Homestead (hereinafter the "Development Order") to resolve an appeal filed by the South Florida Regional Planning Council with the Florida Land and Water Adjudicatory Commission; and

WHEREAS, the City of Homestead has permitted insubstantial changes to the Development Order pursuant to Resolution No. 75-10-32, Ordinance No. 81-07-47, Ordinance No. 84-05-33, and Ordinance No. 85-05-34 (collectively referred to as the Amended Development Order); and

WHEREAS, the Owners and Developers of the Villages of Homestead has petitioned the Planning & Zoning Board and the City Council of the City of Homestead to amend its Master Development Plan as to the following aspects:

(a) amendment of Section E, entitled "Transportation", as set forth in Development Order Ordinance No. 76-02-9 as amended.

(b) energy conservation as set forth under Development Order Ordinance No. 85-05-34.

(c) relocation of certain units not increasing the overall density of the project.

(d) to find that the above proposed changes do not represent a substantial deviation under Section 380.06(19), Florida Statutes, or a significant change in the approved Master Development Plan under Section 31A-100 of the Code of Laws of the City of Homestead.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That this Ordinance shall constitute an amendment to the Amended Development Order and the Planned Unit Ordinance #75-11-69 for the development of regional impact known as the Villages of Homestead, the legal description of which is attached hereto as combined Exhibits A and B, and that the revisions proposed are hereby approved and determined not to be a substantial deviation under Chapter 380.06(19), Florida Statutes or represent a significant changed in the approved Master Development Plan, as amended, as provided in Section 31A-100 of the Code of Laws of the City of Homestead.

Section 2. That the Development Order Ordinance #76-02-9, as previously amended, and the PUD Ordinance #75-11-69, as previously amended, are hereby further amended by substituting a revised "Villages of Homestead Master Development Plan", prepared by Environmental Planning and Design, last revised January <sup>27 E.P.</sup> ~~28~~, 1987, copy of which is attached as Exhibit "C" hereto. It is found and determined that the revisions to the Villages of Homestead Master Development Plan do not constitute a substantial deviation under Chapter 380.06(19), Florida Statutes or represent a significant change in the approved Master Development Plan, as amended, as provided in Section 31A-100 of the Code of Laws of the City of Homestead.

Section 3. That Development Order Ordinance No. 76-02-9, as previosuly amended, is amended as follows:

E. Transportation.

2. After review, should the impact of the proposed future phased construction of dwelling units be shown to deteriorate transportation service below level of service "C" on the regional and other principal roads within five (5) miles of the project -- including the Homestead Extension of Florida's Turnpike, U.S. 1, Krome Avenue, North Canal Drive, Palm Avenue, Kingman Road and Tallhassee Road -- the City of Homestead shall not issue building permits for dwelling units until roadway improvements, which would ameliorate deficiencies, have been committed. For purposes of this section, any voluntary reduction or limitation on building permits for dwelling units imposed by the applicant shall be taken into account in determining the impact of "proposed future phased construction of dwelling units".

4. The applicant shall design and construct Kingman Road to four lane divided from the north boundary of the development to Campbell Drive, in accordance with uniform and current Dade County specifications and standards; said above described portion of Kingman Road to be constructed prior to the issuance of Certificate of Occupancy for 2,500 dwelling units.

5. The applicant shall design and widen Farm Life Road from two lanes to four lane divided, from the north boundary of the development to Campbell Drive, in accordance with uniform and current standards and specifications; said above described portion of Farm Life Road to be constructed prior to the issuance of Certificates of Occupancy for 11,500 dwelling units. The actual uses for and timing of that improvement would be determined from an annual traffic monitoring program. The program would begin after 9,000 units have received a certificate of occupancy and would trigger the construction of this improvement when the maximum allowable level of service of the two lane roadway is reached.

Section 4. That Development Order Ordinance No. 85-05-34 is amended as follows:

3. In lieu of providing reports regarding energy conservation, the following energy conservation measures shall be incorporated into project design and operation of residential buildings (except in platted and/or developed areas of Zone 1 in existence as of the date of this Amended Development Order:

- a. All residential structures will be designed and constructed to meet the standards and criteria set forth in the "Energy Efficiency Code for Building Construction Sections 9 and 10, South Florida Edition, Residential Instruction Manual, 1986" prepared by the State of Florida, Department of Community Affairs, Energy Code Program (hereinafter "Energy Code"). In the event the Energy Code is amended to require higher levels of energy conservation than provided in the 1986 code, project construction will comply with the Energy Code as amended. However, in the event the Energy Code is amended to impose lower standards of energy conservation, project construction will continue to comply with the standards and criteria contained in the 1986 Energy Code.



b. Where feasible use of natural gas for cooking, space heating, and water heating.

c. In multi-family buildings, individual electric metering of tenants.

Furthermore, the following energy conservation measures shall be incorporated into the project design and operations of non-residential buildings:

a. All non-residential structures will be designed and constructed to meet the standards and criteria set forth in the "Energy Efficiency Code for Building Construction - Section 8 Non-residential Instruction Manual April 1984", prepared by the State of Florida, Department of Community Affairs, Energy Code Program (hereinafter the "Non-residential Energy Code"). In the event the Non-residential Energy Code is amended to require higher levels of energy conservation than provided in the 1984 code, project construction will comply with the Non-residential Energy Code as amended. However, in the event the Non-residential Energy Code is amended to impose lower standards of energy conservation, project construction will continue to comply with the standards and criteria in the 1984 Non-residential Energy Code.

b. Maximize the flexibility of air conditioning systems to cool only occupied areas (on at least a floor by floor basis).

c. For buildings over 75,000 square feet, central energy management systems that will provide start/stop optimization, time of day scheduling, electric demand limiting, night temperature set back/startup, programmed maintenance, and building lighting control.

d. Non-electric energy sources for cooking, space heating, and water heating where practical.

e. Where feasible individual electric metering of tenants.

f. Minimize use of incandescent lighting with maximum use of task lighting and natural lighting where possible.

- g. Bicycle support facilities, including secure bike racks or storage areas, and, if feasible, on-site bicycle paths.
- h. Landscaping where feasible to shade, on the average, fifty percent of parking space, between 10:00 A.M. and 5:00 P.M., after eight years of growth (one tree for every six parking spaces, assuring a 15 foot canopy.
- i. An internal circulation system designed to minimize automobile/pedestrian/bicycle conflicts.

Section 5. That the language as proposed for change, as opposed to the language which was a previous portion of the development orders are attached hereto as Attachments A and B and are hereby approved as amendments to the Amended Development Order.

Section 6. The Development Order Ordinance #85-05-34, as amended and the PUD Ordinance #75-11-69, as amended, are further amended as follows:

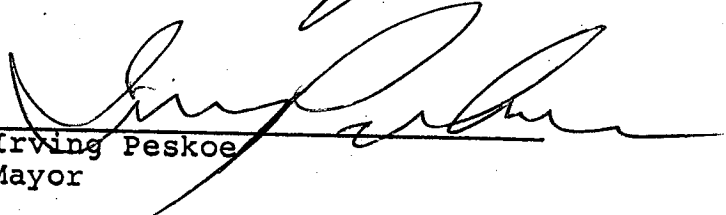
"The Development Order Ordinance No. 85-05-34, as amended, and the PUD Ordinance No. 75-11-69, as amended, is further amended to read as follows:

"The Villages of Homestead Master Development Plan is hereby amended to provide for a four lane divided arterial roadway along the existing North Canal Drive alignment. The existing two lanes of North Canal Drive shall remain and an additional two lanes shall be constructed within the existing 100 foot right-of-way by the City of Homestead, or other appropriate governmental agency, when necessary to accommodate project and area traffic. Such construction shall be in accordance with applicable design standards of the Dade County Public Works Department and/or other applicable public agencies. As part of the alignment adjustment, the following criteria are applicable:


- (a) The City of Homestead shall reserve and then obtain, when necessary, from the owners north of North Canal Drive, by dedication or condemnation, the right-of-way required to four lane the facility between the western boundary of the Villages of Homestead and Farmlife Road. This would include, if required, the relocation and/or adjustments of the drainage canal.
- (b) At such time as the two additional lanes are added to North Canal Drive as stated above, the following conditions also shall apply:
- (1) The new alignment for North Canal Drive at Farmlife Road will improve the existing angle of that intersection. All alignment transitions will occur east of Farmlife Road.
- (2) An east-bound left turn lane will be added at the intersection of existing North Canal Drive and Farmlife Road."

Section 7. That this ordinance shall take effect immediately upon its adoption by the City Council of the City of Homestead.

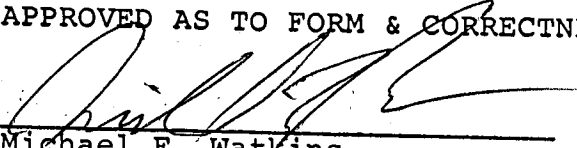
PASSED AND ADOPTED this 2<sup>nd</sup> day of February, 1987.

  
Irving Peskoe  
Mayor

ATTEST:

  
Evelyn Pruett  
City Clerk

APPROVED AS TO FORM & CORRECTNESS:

  
Michael E. Watkins  
City Attorney

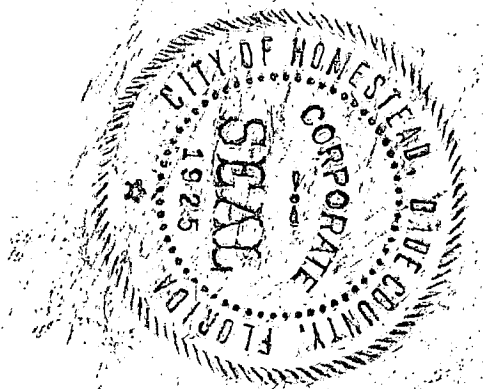


EXHIBIT "A"

A TRACT OF LAND DESCRIBED AS PORTIONS OF SECTIONS 16, 17, 19, 20, 21, 22, 23, 26, 27, 28, AND 29, IN TOWNSHIP 57 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 20; THENCE N88°26'49"E ALONG THE NORTH LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 20 FOR 2720.41 FEET TO THE NORTHEAST CORNER OF SAID N.W.  $\frac{1}{4}$ , THE SAME BEING THE SOUTHWEST CORNER OF THE S.E.  $\frac{1}{4}$  OF SAID SECTION 17; THENCE N88°26'49"E ALONG THE SOUTH LINE OF THE S.E.  $\frac{1}{4}$  FOR 525 FEET±; THENCE NO°22'40"W ALONG THE WEST LINE OF SAID 525 FEET FOR 998.09 FEET; THENCE N89°41'28"E ALONG THE NORTH LINES OF LOTS 17 THROUGH 20 INCLUSIVE, OF BLOCK 4, OF SAID SECTION 17 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND THE WESTERLY EXTENSION OF SAID LINES, FOR 835 FEET TO THE NORTHEAST CORNER OF SAID LOT 20, THE SAME BEING THE SOUTHWEST CORNER OF LOT 27 OF SAID BLOCK 4; THENCE NO°27'49"W ALONG THE WEST LINE OF SAID LOT 27 FOR 333.10 FEET TO THE NORTHWEST CORNER OF SAID LOT 27; THENCE N89°40'28"E ALONG THE NORTH LINE OF SAID LOT 27 AND ITS EASTERLY EXTENSION FOR 1356.89 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 16; THENCE N89°37'26"E ALONG THE NORTH LINES OF LOTS 14 AND 27 OF BLOCK 3, SECTION 16, OF SAID PLAT OF MIAMI LAND AND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES FOR 2667.41 FEET TO A POINT ON THE EAST LINE OF THE SW  $\frac{1}{4}$  OF SAID SECTION 16; THENCE N89°34'06"E ALONG THE NORTH LINE OF LOT 14 OF BLOCK 4 OF SAID SECTION 16, OF THE SAID PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND ITS WESTERLY EXTENSION FOR 1334.34 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE SO°22'18"E ALONG THE EAST LINES OF LOTS 14 AND 20 OF SAID BLOCK 4 OF SECTION 16, AND THEIR SOUTHERLY EXTENSION FOR 1332.79 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE N89°31'49"E ALONG THE SAID SOUTH LINE OF SECTION 16 FOR 444.42 FEET; THENCE SO°28'57"E ALONG THE EAST LINE OF LOT 5 OF BLOCK 1 OF SAID SECTION 21 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND ITS NORTHERLY EXTENSION FOR 1002.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE N89°31'58"E ALONG THE NORTH LINE OF LOT 28 OF BLOCK 1 OF SAID SECTION 21, OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND ITS EASTERLY EXTENSION FOR 889.02 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 21; THENCE SO°29'34"E ALONG SAID EAST LINE OF SECTION 21 FOR 668.13 FEET; THENCE N89°34'52"E ALONG THE NORTH LINES OF LOTS 15 THROUGH 26 INCLUSIVE OF BLOCK 2 OF SAID SECTION 22, OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES FOR 2677.70 FEET TO A POINT ON THE EAST LINE OF THE N.W.  $\frac{1}{4}$  OF SAID SECTION 22; THENCE SO°26'43"E ALONG THE SAID

EAST LINE OF THE N.W.¼ FOR 1002.52 FEET TO THE SOUTHEAST CORNER OF SAID N.W.¼; THENCE N89° 35'06"E ALONG THE NORTH LINE OF THE S.E.¼ OF SAID SECTION 22 FOR 2671.97 FEET TO THE NORTH-EAST CORNER OF THE SAID S.E.¼ OF SECTION 22; THENCE N89°31'07"E ALONG THE NORTH LINE OF THE S.W.¼ OF SAID SECTION 23 FOR 2680.97 FEET TO THE NORTHEAST CORNER OF SAID S.W.¼; THENCE SO°19'11" E ALONG THE EAST LINE OF SAID S.W.¼ OF SECTION 23 FOR 2708.00 FEET TO THE SOUTHEAST CORNER OF SAID S.W.¼; THENCE SO°02'12"W ALONG THE EAST LINE OF THE N.W.¼ OF SAID SECTION 26 FOR 2668.75 FEET TO THE SOUTHEAST CORNER OF THE SAID N.W.¼; THENCE S89°23'23"W ALONG THE SOUTH LINE OF THE SAID N.W.¼ FOR 2678.34 FEET TO THE SOUTHWEST CORNER OF SAID N.W.¼; THENCE S89°39'32"W ALONG THE SOUTH LINE OF THE N.E.¼ OF SAID SECTION 27, FOR 2657.97 FEET TO THE SOUTHWEST CORNER OF THE SAID N.E.¼; THENCE S89°39'37"W ALONG THE SOUTH LINE OF THE N.W.¼ OF SAID SECTION 27 FOR 2657.98 FEET TO THE SOUTHWEST CORNER OF SAID N.W.¼; THENCE S89°34'33"W ALONG THE SOUTH LINE OF THE N.E.¼ OF SAID SECTION 28, FOR 2668.66 FEET TO THE SOUTHWEST CORNER OF SAID N.E.¼; THENCE S89°34'41"W ALONG THE SOUTH LINE OF THE N.W.¼ OF SAID SECTION 28, FOR 2668.57 FEET TO THE SOUTHWEST CORNER OF SAID N.W.¼; THENCE S89° 26'43"W ALONG THE SOUTH LINE OF THE N.E.¼ OF SAID SECTION 29, FOR 2709.24 FEET TO THE SOUTHWEST CORNER OF SAID N.E.¼; THENCE S89°26'35"W ALONG THE SOUTH LINE OF THE N.W.¼ OF SAID SECTION 29, FOR 2712.39 FEET TO THE SOUTHWEST CORNER OF SAID N.W.¼; THENCE NO°28'47"W ALONG THE WEST LINE OF THE SAID N.W.¼ OF SECTION 29, FOR 2673.04 FEET TO THE NORTHWEST CORNER OF SAID SECTION 29; THENCE NO°28'47"W ALONG THE EAST LINE OF SAID S.E.¼ OF SECTION 19 FOR 1335 FEET TO THE SOUTHEAST CORNER OF LOT 16, BLOCK 4, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10); THENCE S89°12'01"W ALONG SAID SOUTH LINE OF LOT 16 TO THE SOUTHWEST CORNER; THENCE NO°36'48"W ALONG THE WEST LINE OF SAID LOT 16 TO THE NORTHWEST CORNER; THENCE CONTINUE NO°36'48"W ALONG SAID LOT 1 OF BLOCK 4, MIAMI LAND AND DEVELOPMENT COMPANY SUB 660' TO A POINT ON THE SOUTH LINE OF THE N.E.¼ OF SECTION 19; THENCE S89° 12'01"W ALONG THE SAID SOUTH LINE OF THE N.E.¼ OF SECTION 19 FOR 340' TO THE NORTHEAST CORNER OF LOT 3, BLOCK 4, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10); THENCE SO°28'47"W ALONG THE EAST LINE OF SAID LOT 3 FOR 1350' TO THE SOUTH LINE OF LOT 3; THENCE S89°30'40"W FOR A DISTANCE OF 330' TO THE SOUTHWEST CORNER OF LOT 3; THENCE NO°28'47"W ALONG THE WEST LINE OF LOT 3 FOR 1350' TO A POINT OF INTERSECTION WITH THE N.E.¼ OF SECTION 19; THENCE CONTINUE S89°12'01" W FOR A DISTANCE OF 350' TO THE WEST LINE OF LOT 11, BLOCK 1, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10) IN THE N.E.¼ OF SECTION 19; THENCE CONTINUE NO°28'47"W FOR 1500' TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE FLORIDA TURNPIKE STATE ROAD #821; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD #821 FOR 1800' TO THE SOUTH RIGHT OF WAY LINE OF S.E. 8 STREET, ALSO KNOWN AS THE NORTH LINE OF LOT 1, BLOCK 1, MIAMI LAND AND DEVELOPMENT COMPANY SUB (5-10), SECTION 19; THENCE N89°31'07"E FOR 220' TO THE POINT OF BEGINNING.

EXHIBIT "B"PARCEL 1

A parcel of land being Lot 16, less the North 200 feet of the East one-half and the West one-half of Lot 1, Block 2, "Miami Land and Development Company", according to the plat thereof as recorded in Plat Book 5, Page 10, of the Public Records of Dade County, Florida, less therefrom the dedicated road rights-of-way on the Northerly and Easterly side thereto, said parcel being more particularly described by "metes and bounds" as follows:

COMMENCE at the Northwest corner of Section 29, Township 57 South, Range 39 East; thence N 89°30'31" E along the North line of said Section 29 for 2033.76 feet to an intersection with the Northerly prolongation of the Westerly line of said Lot 1; thence South 0°29'28" East along said Northerly prolongation of the West line of said Lot 1 for 50.00 feet to an intersection with the Southerly right-of-way line of Palm Drive; said intersection being also the Point of Beginning of the hereinafter described parcel of land; thence N 89°30'31" East along said Southerly right-of-way line of Palm Drive for 323.96 feet; thence S 0°29'35" E for 855.08 feet; thence N 89°29'32" E for 323.98 feet to an intersection with the Westerly right-of-way line of Farm Life School Road; thence S 0°29'41" E along said Westerly right-of-way line for 414.99 feet to an intersection with the Southerly line of said lot 16; thence S 89°28'33"W along said Southerly line for 648.01 feet to an intersection with the West line of said Lot 16; thence N 0°29'28" W along the West line of said Lot 16 and Lot 1 for 1270.35 feet to the Point of Beginning. Said parcel contains 12.54 acres more or less.

PARCEL 2

Lot 4 in Block 1, of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION in Section 19, Township 57 South, Range 39 East, according to the Plat thereof, recorded in Plat Book 5, at Page 10, of the Public Records of Dade County, Florida.

PARCEL 3

Lot 14, Block 3, of MIAMI LAND AND DEVELOPMENT COMPANY'S SUBDIVISION in Section 21, Township 57 South, Range 39 East, according to the Plat thereof, recorded in Plat Book 5, at Page 10, of the Public Records of Dade County, Florida.

ATTACHMENT AProposed Development Order Revisions\*

1. Development Order Ordinance No. 76-02-9 is proposed for amendment as follows:

E. Transportation.

2. After review, should the impact of the proposed future phased construction of dwelling units be shown to deteriorate transportation service below level of service "C" on the regional and other principal roads within five (5) miles of the project -- including the Homestead Extension of Florida's Turnpike, U.S. 1, Krome Avenue, North Canal Drive, Palm Avenue, Kingman Road and Newton Road (when built), and Tallahassee Road -- the City of Homestead shall not issue building permits for dwelling units until roadway improvements, which would ameliorate deficiencies, have been committed. For purposes of this section, any voluntary reduction or limitation on building permits for dwelling units imposed by the applicant shall be taken into account in determining the impact of "proposed future phased construction of dwelling units".

4. The applicant shall design and construct Kingman Road to ~~two lanes~~, four lane divided from the north boundary of the development to Campbell Drive, in accordance with uniform and current Dade County specifications and standards; said above described portion of Kingman Road to be constructed prior to the issuance of Certificate of Occupancy in Phase II of the development for 2,500 dwelling units.

5. The applicant shall design and widen Farm Life Road from two lanes to four lane divided, from the north boundary of the development to Campbell Drive, in accordance with uniform and current standards and specifications; said above described

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\* Words and Figures underlined are new language and constitute the amendment. Words and Figures stricken through are deleted.

portion of Farm Life Road to be constructed prior to the issuance of Certificates of Occupancy for 11,500 dwelling units. The actual uses for and timing of that improvement would be determined from an annual traffic monitoring program. The program would begin after 9,000 units have received a certificate of occupancy and would trigger the construction of this improvement when the maximum allowable level of service of the two lane roadway is reached.

2. Development Order Ordinance No. 85-05-34 is proposed for amendment as follows (see justification attached):

3. In lieu of providing reports regarding energy conservation, the following energy conservation measures shall be incorporated into project design and operation of residential buildings (except in platted and/or developed areas of Zone 1 in existence as of the date of this Amended Development Order:

a. All residential structures will be designed and constructed to meet the standards and criteria set forth in the "Energy Efficiency Code for Building Construction Sections 9 and 10, South Florida Edition, Residential Instruction Manual, 1986" prepared by the State of Florida, Department of Community Affairs, Energy Code Program (hereinafter "Energy Code"). In the event the Energy Code is amended to require higher levels of energy conservation than provided in the 1986 code, project construction will comply with the Energy Code as amended. However, in the event the Energy Code is amended to impose lower standards of energy conservation, project construction will continue to comply with the standards and criteria contained in the 1986 Energy Code.

b. a- Where feasible use of natural gas for cooking, space heating, and water heating.

b- Measures where practical that effectively yield, in the cooling mode, R-11 in walls and R-19 in ceilings.



- c- Use of flow restricting shower heads.
- d- High efficiency air conditioning systems with minimum energy efficiency ratios (EER) of 9-5.
- e- Where feasible use of solar water heaters in single-family homes and townhouses, and heat recovery water heaters (with gas backup) in low rise multi-family structures.
- c. f- In multi-family buildings, individual electric metering of tenants.
- g- Where feasible, minimize east-west wall area where for a majority of residential structures no more than 40 percent of total wall surface faces east and west.

Furthermore, the following energy conservation measures shall be incorporated into the project design and operations of non-residential buildings:

- a. All non-residential structures will be designed and constructed to meet the standards and criteria set forth in the "Energy Efficiency Code for Building Construction - Section 8 Non-residential Instruction Manual April 1984", prepared by the State of Florida, Department of Community Affairs, Energy Code Program (hereinafter the "Non-residential Energy Code"). In the event the Non-residential Energy Code is amended to require higher levels of energy conservation than provided in the 1984 code, project construction will comply with the Non-residential Energy Code as amended. However, in the event the Non-residential Energy Code is amended to impose lower standards of energy conservation, project construction will continue to comply with the standards and criteria in the 1984 Non-residential Energy Code.
- b. a- Maximize the flexibility of air conditioning systems to cool only occupied areas (on at least a floor by floor basis).

- b- Air distribution using a variable air volume system, where practical.
- c- Air conditioning energy efficiencies (EER) of 10.0.
- d- Measures that effectively yield, in the cooling mode, R-7 in walls and R-19 in ceilings.
- e- Thermal isolation on non-critical areas such as closets and other storage areas, to reduce cooled space where feasible.
- c. f- For buildings over 75,000 square feet, central energy management systems that will provide start/stop optimization, time of day scheduling, electric demand limiting, night temperature set back/startup, programmed maintenance, and building lighting control.
- d.g- Non-electric energy sources for cooking, space heating, and water heating where practical.
- e.h- Where feasible individual electric metering of tenants.
- f. i- Minimize use of incandescent lighting with maximum use of task lighting and natural lighting where possible.
- j- Use of low water volume toilets, limited to 3.5 gallons per flush.
- k- Where feasible, minimize east-west wall areas where for a majority of buildings no more than 40 percent of total wall surface faces east and west.
- l- Use exterior shading or tinted or reflective glass to reduce the amount of direct sunlight entering air conditioned areas.
- m- Use of light colors for exterior surfaces, where practical.
- n- Landscape shading of exterior wall surfaces of low rise buildings.
- g. o- Bicycle support facilities, including secure bike racks or storage areas, and, if feasible, on-site bicycle paths.

- h. p- Landscaping where feasible to shade, on the average, fifty percent of parking space, between 10:00 A.M. and 5:00 P.M., after eight years of growth (one tree for every six parking spaces, assuring a 15 foot canopy.
- i. q- An internal circulation system designed to minimize automobile/pedestrian/bicycle conflicts.

**LEGEND**

☐ RESIDENTIAL  
SF - SINGLE FAMILY  
TH - TOWNHOUSE  
MF - MULTI FAMILY

■ ■ ■ AREA BOUNDARY

☐ C COMMERCIAL AND  
COMMUNITY SERVICES  
CS CONVENIENCE SHOPPING

☐ I INDUSTRIAL

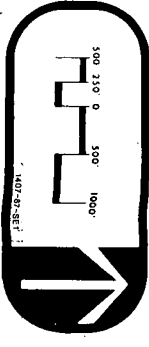
☐ S SCHOOL SITES

☐ OS OPEN SPACE AND RECREATION

☐ CITY BOUNDARY

(1/4 IN.) CITY OF HOMESTEAD STREET  
DESIGNATION NO.

== TIME TRAFFICWAY ==  
2 LANE TRAFFICWAY



ATTACHMENT B

1. A proposed amended development order deadline for commencing physical development of the proposed changes is June, 1987.

2. A proposed amended development order termination date that reasonably reflects the time required to complete the development is the year 2015.

OFF. REC. 13215PC1454

STATE OF FLORIDA )  
 ) SS  
COUNTY OF DADE )

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 87-01-1, which was passed and adopted by the City Council of the City of Homestead, Florida on the 2nd day of February, 1987.

WITNESS MY HAND and the official seal of the City of Homestead this 5th day of February, 1987.

SIGNED

Evelyn D. Pratt  
City Clerk



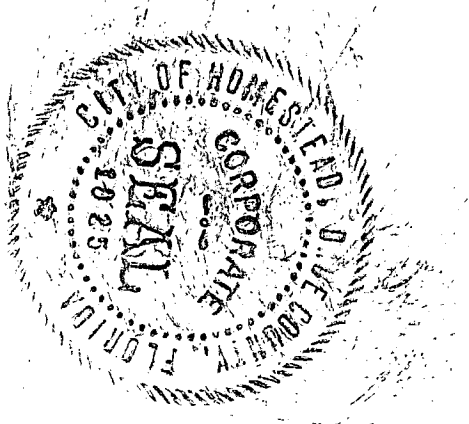
OFF.  
REC: 132 | 5AC | 455

CERTIFICATE OF CLERK

I HEREBY CERTIFY that a motion was made by Mr. Kirk,  
seconded by Mr. Brookshire, for the adoption of the foregoing  
Ordinance No. 87-01-01, and upon being put to a vote, the  
vote was as follows:

Roscoe Warren	yes
Nicholas Sincore	yes
J. W. DeMilly, III	yes
W. F. Dickinson	yes
Jeff Kirk	yes
Paul Brookshire	yes
Irving Peskoe	yes

The Mayor thereupon declared the Ordinance duly passed and  
adopted by the City Council of the City of Homestead, Dade County,  
Florida this 2nd day of February, 19 87.



Evelyn Pruett  
City Clerk

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA.  
RECORD VERIFIED  
RICHARD P. BRINKER  
CLERK CIRCUIT COURT

**ORDINANCE NO. 94-05-32**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA ADOPTING THE PROPOSED AMENDMENT TO THE CITY OF HOMESTEAD COMPREHENSIVE MASTER LAND USE PLAN RELATING TO LAND USE DESIGNATIONS FOR THE VILLAGES OF HOMESTEAD DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENTAL COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT AND CHAPTER 380 OF THE FLORIDA STATUTES; AUTHORIZING TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Homestead (the "City") proposes to amend (the "Amendment") the City of Homestead Comprehensive Master Land Use Plan (the "Plan") as follows:

1. Delete page I-P of the Plan's Land Use Element, entitled Villages of Homestead Master Development Plan; and
2. Modify the legend to the map on page I-O of the Plan's Land Use Element, entitled Future Land Use for the City of Homestead, Florida by changing the following land use description:

From: "Villages of Homestead  
P.U.D./D.R.I. Boundary"

To: "Villages of Homestead" (Land uses permitted under this category include all the uses under the Development Order for the Villages of Homestead Development of Regional Impact); and

WHEREAS, on February 9, 1994, the City of Homestead Planning and Zoning Board in its capacity as the Local Planning Agency ("LPA") held a public hearing and recommended transmittal and approval of the proposed Amendment to the Plan; and

WHEREAS, on February 10, 1994, the City Council of the City of Homestead held a public hearing and heard evidence in support of the Amendment; and

WHEREAS, on February 10, 1994, the City Council of the City of Homestead passed and adopted the transmittal of the Amendment to the appropriate governmental agencies; and

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WHEREAS, the South Florida Regional Planning Council in reviewing this Amendment has requested and the City has agreed that on or before September 1, 1994 the City shall initiate an amendment to the Plan to more particularly identify permitted future land uses within the affected area; and

WHEREAS, the other governmental agencies reviewing the Amendment have expressed no objection; and

WHEREAS, on May 4, 1994, the City Council of the City of Homestead held a public hearing and heard evidence in support of the Amendment; and

WHEREAS, the City Council has determined that the evidence presented at the hearing fully supports the Amendment; and

WHEREAS, the City Council has determined that the proposed Amendment does not adversely impact on the City's public facilities; and

WHEREAS, the City Council has determined that the proposed Amendment is consistent with the Plan's policies, goals and objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA AS FOLLOWS:

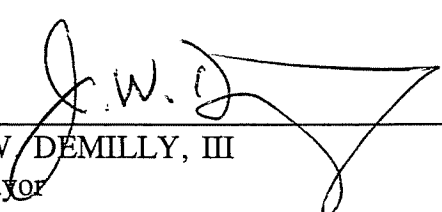
SECTION 1. The matters set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. The proposed Amendment to the Plan is hereby adopted as provided for in Florida Statute §163.3184.

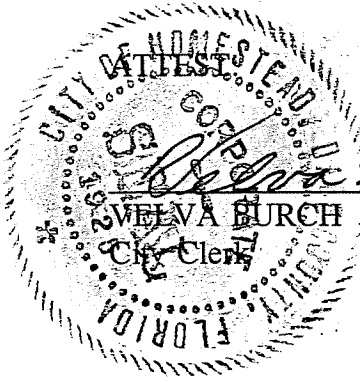
SECTION 3. The City Clerk is hereby directed to make the appropriate transmittals are required by law.

SECTION 4. The Ordinance shall become effective immediately upon its passage.

PASSED AND ADOPTED this 4th day of May, 1994.

  
\_\_\_\_\_  
J.W. DEMILLY, III  
Mayor

94-05-32



APPROVED AS TO FORM & CORRECTNESS:

*Michael E. Watkins*

MICHAEL E. WATKINS  
City Attorney

FINAL VOTE AT ADOPTION

Mayor J.W. DeMilly, III  
Vice Mayor Roscoe Warren  
Councilman Ruth Campbell  
Councilman Jeff Kirk  
Councilman Eliza Perry  
Councilman Steve Shiver  
Councilman Nick Sincore

YES  
YES  
YES  
YES  
ABSENT  
YES  
YES

RECORDED IN OFFICIAL RECORDS BOOK  
OF DADE COUNTY, FLORIDA.  
RECORD VERIFIED  
HARVEY RUVIN,  
Clerk of Circuit & County  
Courts

**ORDINANCE NO. 94-10-104**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA, GRANTING V.O.H. ACQUISITION, INC. DBA FLORIDA DESIGN COMMUNITIES, LOCATED AT 1820 S. CANAL DRIVE, AN AMENDMENT OF THE VILLAGES OF HOMESTEAD PUD PROPOSED MASTER PLAN ALLOWING A REDUCTION OF 11.21 ACRES OR 146,000 SQUARE FEET OF COMMERCIAL; A REDUCTION IN TRAFFIC OF 406 P.M. PEAK HOUR TRIPS; THE ADDITION OF P.M. PEAK HOUR WEEKDAY TRIPS DUE TO AN INCREASE OF 200 HOTEL ROOMS FOR A TOTAL OF 400 ROOMS; AND AN INCREASE OF 370 RESIDENTIAL DWELLING UNITS. THE SAME BEING HEARD UNDER PUBLIC HEARING NO. 94-61 OF THE PLANNING AND ZONING BOARD OF THE CITY OF HOMESTEAD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:


SECTION 1. That an amendment of the Villages of Homestead PUD Proposed Master Plan, be and the same, is hereby granted to V.O.H. ACQUISITION, INC. DBA FLORIDA DESIGN COMMUNITIES, located at 1820 S. Canal Drive, Homestead, Florida, for a reduction of 11.21 acres or 146,000 square feet of commercial; a reduction in traffic of 406 p.m. peak hour trips; the addition of p.m. peak hour weekday trips due to an increase of 200 hotel rooms for a total of 400 rooms; and an increase of 370 residential dwelling units.

SECTION 2. That this ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED, this 2<sup>nd</sup> day of November, 1994.

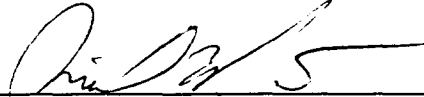
  
\_\_\_\_\_  
J.W. DEMILLY III  
Mayor

ATTEST:

  
\_\_\_\_\_  
VELVA BURCH  
City Clerk

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APPROVED AS TO FORM & CORRECTNESS:



MICHAEL E. WATKINS  
City Attorney

Motion to adopt by Mrs. Campbell, seconded by Mrs. Perry.

FINAL VOTE AT ADOPTION

*Mayor J. W. DeMilby III*  
*Vice Mayor Roscoe Warren*  
*Councilman Ruth Campbell*  
*Councilman Jeff Kirk*  
*Councilman Eliza Perry*  
*Councilman Steve Shiver*  
*Councilman Nick Sincore*

YES
YES
YES
YES
YES
ABSENT
YES

**ORDINANCE NO. 99-05-29**

**AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE VILLAGES OF HOMESTEAD DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR CHANGES IN THE VILLAGES OF HOMESTEAD MASTER DEVELOPMENT PLAN FOR THE VILLAGES OF HOMESTEAD PLANNED UNIT DEVELOPMENT; FINDING THAT SAID AMENDMENT AND CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION; PROVIDING FOR CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

WHEREAS, the City of Homestead (the "City") has adopted Ordinance No. 75-11-70 which constitutes a development order (the "Development Order") under Chapter 380 of the Florida Statutes, for the Villages of Homestead, a Development of Regional Impact (the "DRI"); and

WHEREAS, the City has amended the Development Order by a series of amendments over the ensuing period of years (cumulatively, the "Development Orders"); and

WHEREAS, the City Council finds that it is necessary to further amend the Development Orders and make various changes (the "Proposed Changes") to the DRI as more particularly described in the "Notification of Proposed Change to a Previously Approved Development of Regional Impact, Subsection 380.06(19), Florida Statutes," dated March 22, 1999, attached hereto as Exhibit "A" and incorporated herein by reference (the "Notice"), and to make corresponding changes to the Master Development Plan (the "Master Plan") of the Planned Unit Development (the "PUD") encompassing the area of the DRI; and

WHEREAS, the City Council finds that the lake to be excavated will serve an

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important function in facilitating the performance and benefits of the wetland mitigation described in the environmental regulatory permits referenced herein below by:

- (a) serving as a buffer between residential development and the mitigation area;
- (b) in part, constituting a portion of the mitigation area;
- (c) promoting the opportunity for biological diversity in the lake habitat; and

WHEREAS, the City of Homestead Planning and Zoning Board has reviewed the Proposed Changes and has recommended adoption thereof; and

WHEREAS, the proposed amendment does not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the City Council has previously approved an Agreement of January 20, 1999, with the Redland Company (the "Agreement") concerning potential lake excavation activities (the "Activities") referenced in the Proposed Changes herein, which Agreement establishes that obtaining the approvals granted by this Ordinance shall serve as conditions precedent to Redland's authority to engage in the Activities; and

WHEREAS, the City Council recognizes that it is not in any way bound or obligated by the Agreement to adopt this Ordinance, and instead is authorized to adopt this Ordinance only if the Council finds that this Ordinance meets the applicable legal standards regularly applied to the DRI and Master Plan matters provided for herein; and

WHEREAS, the City Council at a properly advertised public hearing has reviewed the Proposed Changes and makes the findings and determinations set forth below.

**IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF**

## **HOMESTEAD, FLORIDA, AS FOLLOWS:**

### **Section 1. Findings.** The City Council makes the following findings:

- 1.1. Each of the recitals set forth above is hereby incorporated and confirmed.
- 1.2. The clear and convincing evidence presented demonstrates that the Proposed Changes and previous changes to the Development Order neither individually nor cumulatively constitute or create a substantial deviation under the criteria provided for in Section 380.06(19), Florida Statutes.
- 1.3. The clear and convincing evidence presented demonstrates that the Proposed Changes do not require further Development of Regional Impact review under Chapter 380 of the Florida Statutes or the laws of the City of Homestead.
- 1.4. The Proposed Changes are consistent with the State Comprehensive Plan, the City's Comprehensive Development Plan, the City's Land Development Regulations, and any other applicable laws.
- 1.5. This Ordinance meets the applicable legal standards which are regularly applied to the DRI and Master Plan matters provided for herein.

### **Section 2. Approved Changes.**

#### **2.1. List of Proposed Changes:**

- a. Reduction of 174 residential dwelling units for a cumulative reduction from 14,465 dwelling units to 9,882 dwelling units;
- b. Reduction of 11 acres of school for a cumulative decrease from 98.34 acres to 64.08 acres of school designation;
- c. Reduction of 4.85 acres of retail for a cumulative decrease from 103.02 acres to 74.12 acres of retail designation;

- d. Increase of 67.02 acres of open space/park for a cumulative increase from 84.66 acres to 624.40 acres of open space/park area; and
- e. Increase of 93 acres of grass buffer/overflow parking for a cumulative increase from 0 acres to 203 acres of grass buffer/overflow parking area.

These Proposed Changes do not increase the previously approved number of: permanent seats; spectators accommodated; or, major events at the Motorsports facility.

2.2. Each of the above described Proposed Changes, as detailed in the Notice, is hereby approved and adopted as if set forth at length herein.

2.3. The purpose of these Proposed Changes is to allow the City the ability to: widen SW 344 Street from SW 137 Avenue to SW 152 Avenue; fill an area for additional grassed buffer/overflow parking; and fill the City of Homestead Park of Commerce and other areas within the DRI.

2.4. All use and development activities authorized herein shall comply with the environmental regulatory permits (the "Permits") as described in the Notice and as issued by the Miami-Dade County Department of Environmental Resource Management (DERM), the South Florida Water Management District (SFWMD) and the US Army Corps of Engineers (USACOE). No development authorized in this Ordinance shall be undertaken unless such Permits have first been issued, and all development must comply with the Permits, as amended from time to time. A copy of the DERM, SFWMD and USACOE permits, as issued and amended, shall be maintained on file in the City Clerk's office.



**Section 3. Development Orders.** The Development Orders, as previously amended from time to time, and as amended herein, are hereby approved and confirmed in accordance with the terms hereof.

**Section 4. Master Development Plan of Planned Unit Development.**

4.1. The Master Plan for the PUD of the DRI, as such Master Plan is set forth as Exhibit "C" of the Notice, as attached hereto, is hereby adopted and approved, and the previously approved Master Plan for the PUD is hereby amended in accordance with the Notice. The Master Plan as herein amended and as set forth in such Exhibit "C," shall supersede the previously approved development plans and shall control the development within the DRI in accordance with the PUD zoning, and shall constitute an amendment to the Development Orders, as amended, for the DRI.

4.2. The properties governed by the Master Plan shall be used in accordance with the Master Plan, the Permits, and in accordance with the purposes and conditions of this Ordinance.

**Section 5. Restatement.** Except as provided for in this Ordinance, all prior Development Orders for the Villages of Homestead DRI shall remain in full force and effect in accordance with the terms and conditions provided for therein.

**Section 6. Transmittal of Development Order.** The City Clerk is hereby directed to make the appropriate transmittals of this Development Order as required by law, as advised by the City Attorney.

**Section 7. Authorization.** The City Manager and City Attorney are hereby authorized to take any and all action necessary to fully implement the provisions of this Ordinance.

**Section 8. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.


**Section 9. Effective Date.** This Ordinance shall be effective upon passage by the City Council on second reading.

PASSED AND ADOPTED on first reading this 17<sup>TH</sup> day of MAY, 1999.

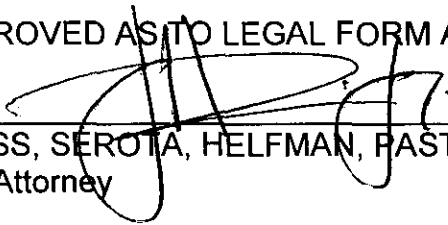
PASSED AND ADOPTED on second reading this 7<sup>TH</sup> day of JUNE, 1999.

  
\_\_\_\_\_  
STEVE SHIVER  
Mayor

ATTEST:

  
\_\_\_\_\_  
SHARON ERNST  
Deputy City Clerk

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, PASTORIZA & GUEDES, P.A.  
City Attorney

Motion to adopt by Mr. Porter seconded by Mr. Sincore.

**FINAL VOTE AT ADOPTION**

<i>Mayor Steve Shiver</i>	<u>YES</u>
<i>Vice Mayor Jeffrey Porter</i>	<u>YES</u>
<i>Councilman Steven C. Bateman</i>	<u>YES</u>
<i>Councilman Eddie Berrones</i>	<u>YES</u>
<i>Councilwoman Eliza D. Perry</i>	<u>YES</u>
<i>Councilman Nick Sincore</i>	<u>YES</u>
<i>Councilman Roscoe Warren</i>	<u>YES</u>

99-05-29\ordinances\amending development order for voh

## **ORDINANCE NO. 2001-12-36**

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE VILLAGES OF HOMESTEAD DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR CHANGES IN THE VILLAGES OF HOMESTEAD MASTER DEVELOPMENT PLAN FOR THE VILLAGES OF HOMESTEAD PLANNED UNIT DEVELOPMENT; FINDING THAT SAID AMENDMENT AND CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION; PROVIDING FOR CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City of Homestead (the "City") has adopted Ordinance No. 75-11-70, which constitutes a development order (the "Development Order") under Chapter 380 of the Florida Statutes, for the Villages of Homestead, a Development of Regional Impact (the "DRI"); and

WHEREAS, the City has amended the Development Order by the adoption of Ordinance Nos. 76-02-9, 79-10-32, 81-07-47, 84-05-33, 85-05-34, 87-01-1, 94-05-33, 94-10-100, 94-10-104, 99-05-29 (collectively, the "Development Order Amendments"); and

WHEREAS, M&H Homestead, Ltd. (the "Developer") has applied for various changes (the "Proposed Changes") to the DRI, as more particularly described in the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, dated 10-26-01 (the "NOPC"), which is incorporated by reference to this Ordinance; and

WHEREAS, the City Council finds that it is necessary to further amend the Development Order and to incorporate the Proposed Changes, and to make corresponding changes to the DRI Master Development Plan (the "Master Plan"); and

WHEREAS, the City of Homestead Planning and Zoning Board has reviewed the Proposed Changes, and has recommended adoption thereof;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, MIAMI-DADE COUNTY, FLORIDA:

SECTION 1. FINDINGS. The City Council makes the following findings:

- 1.1 Each of the recitals set forth above is hereby incorporated and confirmed.
- 1.2 The clear and convincing evidence presented demonstrates that the Proposed Changes and the previous changes to the Development Order neither individually nor cumulatively constitute or create a substantial deviation under the criteria provided for in Section 380.06(19), Florida Statutes, or laws of the City.
- 1.3 The clear and convincing evidence presented demonstrates that the Proposed Changes do not require further Development of Regional Impact review under Chapter 380 of the Florida Statutes or the laws of the City.
- 1.4 The Proposed Changes are consistent with the State Comprehensive Plan, the City's Comprehensive Development Plan, the City's Land Development Regulations, and any other applicable laws.
- 1.5 This Ordinance meets the applicable legal standards that are regularly applied to the DRI and Master Plan matters provided herein.

SECTION 2. APPROVED CHANGES AND CONDITIONS. The Proposed Changes are hereby approved subject to the following conditions:

- 2.1 The maximum number of residential dwelling units within the DRI shall not exceed 9,882 dwelling units.

- 2.2 The commercial development within the DRI shall not exceed 974,000 square feet on 107.52 acres.
- 2.3 The hotel shall be limited to 400 hotel rooms.
- 2.4 The industrial development within the DRI shall not exceed 3,100,000 square feet on 275.10 acres.
- 2.5 The Developer shall develop a 127-bed hospital on 13 acres.
- 2.6 The office development within the DRI shall not exceed 241,000 square feet on 14.50 acres.
- 2.7 The DRI shall have 843.23 acres of recreation/open space, of which 2.21 acres shall be private recreation space, 90.75 acres shall be community park, and 150 acres shall be golf course.
- 2.8 Lands identified as school sites shall be 58.34 acres.
- 2.9 The Major Events described in Exhibit "H" of the NOPC approved pursuant to City of Homestead Ordinance 94-05-33 shall be limited to eighteen (18) days in any given calendar year. Notwithstanding anything to the contrary in said Exhibit "H" and/or this Ordinance, a Major Event shall mean an event or separate events conducted simultaneously at the Baseball Facility and/or Motorsports Facility for which the number of spectators exceeds 28,000.
- 2.10 The attraction/recreation uses shall be on 527.90 acres as follows: The Baseball Facility shall be on 100 acres. The Motor Sports Facility shall be on a total of 427.90 acres, of which 203 acres shall be designated for the Motor Sports Facility grass buffer/overflow parking.

- 2.11 All use and development activities authorized herein shall comply with the environmental regulatory permits (the "Permits") as described in the Notice and as issued by the Miami-Dade County Department of Environmental Resource Management (DERM), the South Florida Water Management District (SFWMD) and the US Army Corps of Engineers (USACOE). No development authorized in this Ordinance shall be undertaken unless such Permits have first been issued, and all development must comply with the Permits, as amended from time to time. A copy of the DERM, SFWMD and USACOE permits, as issued and amended, shall be maintained on file in the City Clerk's office.
- 2.12 The development of the DRI property shall be in substantial compliance with the Proposed Master Plan entitled "Proposed Master Plan/KeysGate at the Villages of Homestead," dated 10-26-01 and revised 11-29-01, and attached hereto as Exhibit "A," and the Proposed Master Development Plan - Proposed Land Use Chart, dated 11-28-01, attached hereto as Exhibit "B."

SECTION 3. MASTER DEVELOPMENT PLAN. The Proposed Master Plan, dated 10-26-01 and revised 11-29-01, which is attached hereto as Exhibit "A" (and attached as Exhibit "C" to the NOPC) shall supersede all prior approved development plans, shall serve as the Master Development Plan for the DRI, and shall control the development of the DRI. The properties governed by the Proposed Master Plan shall be developed and used in accordance with the

Proposed Master Plan, and in accordance with the purposes and conditions of this Ordinance.

SECTION 4. MASTER DEVELOPMENT PLAN LAND USE CHART. The Proposed Master Development Plan - Proposed Land Use Chart, dated 11-28-01, (the "Proposed Land Use Chart") attached hereto as Exhibit "B" (and attached as Exhibit "D" to the NOPC) shall supersede all prior approved Land Use Charts, shall serve as the Master Development Plan Land Use Chart for the DRI, and, in conjunction with the Proposed Master Plan, shall control the development of the DRI. The properties governed by the Proposed Land Use Chart shall be developed and used in accordance with the Proposed Land Use Chart, and in accordance with the purposes and conditions of this Ordinance.

SECTION 5. DEVELOPMENT ORDERS. The Development Order, as previously amended by the Development Order Amendments, and as amended herein, is hereby approved and confirmed in accordance with the terms hereof.

SECTION 6. RESTATEMENT. Except as provided for in this Ordinance, the Development Order and all prior Development Order Amendments for the DRI shall remain in full force and effect, in accordance with the terms and conditions provided therein, including, but not limited to, those provisions in City Ordinance No. 99-05-29 pertaining to the lake excavation in Sectors 16 and 18 of the Proposed Master Plan.

SECTION 7. TRANSMITTAL OF DEVELOPMENT ORDER. The City Clerk is hereby directed to make the appropriate transmittals of this Development Order Amendment, as required by law, as advised by the City Attorney.



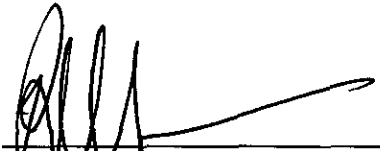
SECTION 8. AUTHORIZATION. The City Manager and the City Attorney are hereby authorized to take any and all action necessary to fully implement the provisions of this Ordinance.

SECTION 9. SEVERABILITY. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 10. EFFECTIVE DATE. This Ordinance shall be effective upon passage by the City Council on second reading.

PASSED AND ADOPTED on first reading this 3<sup>RD</sup> day of DECEMBER, 2001.


PASSED AND ADOPTED on second reading this 17<sup>TH</sup> day of DECEMBER, 2001.

  
\_\_\_\_\_  
ROSCOE WARREN  
Mayor

ATTEST:

  
\_\_\_\_\_  
SHARON AUXIER  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
WEISS, SEROTA, HELFMAN, PASTORIZA & GUEDES, P.A.  
City Attorney

Motion to adopt by Mr. Berrones seconded by Mr. Bateman.

*FINAL VOTE AT ADOPTION*

<i>Mayor Roscoe Warren</i>	<u>ABSENT</u>
<i>Vice Mayor Steven D. Losner</i>	<u>YES</u>
<i>Councilman Steven C. Bateman</i>	<u>YES</u>
<i>Councilman Eddie Berrones</i>	<u>YES</u>
<i>Councilman Jeffrey D. Porter</i>	<u>YES</u>
<i>Councilman Nicholas R. Sincore</i>	<u>ABSENT</u>
<i>Councilwoman Judy Waldman</i>	<u>YES</u>

EXHIBIT "H"

Land Use	Units		Proposed Change			Proposed Change			Cumulative Change			Cumulative Change		
			Weekday Trip Generation <sup>1</sup>			Weekend Trip Generation			Weekday Trip Generation <sup>1</sup>			Weekend Trip Generation		
	Changes Since 1985	Proposed Changes	Average Daily	PM Peak Hour	Total	Average Daily	PM Peak Hour	Total	Average Daily	PM Peak Hour	Total	Average Daily	PM Peak Hour	Total
Residential														
Single Family	(1,337) DU	(174) DU	9.55	(1,662)	1.02	(177)	9.48	(1,650)	0.75	(131)	9.55	(14,430)	1.02	(1,541)
Multi-Family	(3,072) DU	0 DU	5.86	0	0.54	0	5.26	0	0.46	0	5.86	(18,002)	0.54	(16,159)
Commercial <sup>2</sup>	(314,800) SF	(63,400) SF	0.06	(3,804)	0.01	(634)	0.08	(5,072)	0.01	(634)	0.06	(22,692)	0.01	(3,782)
School	(1,552) Students	(516) Students	1.09	(562)	0.25	(129)	N/A	0	N/A	0	1.09	2,254	0.25	(517)
Parks	484.96 AC	67.02 AC	2.23	149	0.22	15	5.90	395	0.59	40	2.23	1,231	0.22	121
Hotel (ITE 310)	200 Rooms		8.70	0	0.76	0	9.49	0	0.81	0	8.70	1,740	0.76	152
Baseball Facility <sup>3</sup>	6,500 Seats		0.67	0	0.17	0	0.67	0	0.17	0	0.67	4,355	0.17	1,105
Motorsport Facility <sup>3</sup>														
Typical Event	9,500 Seats		0.67	0	0.17	0	0.67	0	0.17	0	0.67	6,365	0.17	1,615
Major Event <sup>4</sup>	40,000 Persons		N/A	0	N/A	0	0.67	0	0.17	0	N/A	0	0.67	26,800
Total Trip Change														
Typical Event				(5,879)		(926)		(6,326)				(43,687)		(4,506)
Major Event <sup>4</sup>								(6,326)				(24,429)		2,064

<sup>1</sup> Trip generation rates based on I.T.E., 5<sup>th</sup> edition

<sup>2</sup> Commercial square footage is calculated using a 30 percent lot coverage.

<sup>3</sup> Trip generation rates for Baseball and Motorsports events are based on 3 spectators per vehicle.

<sup>4</sup> Major events occur 3-4 weekends per year.

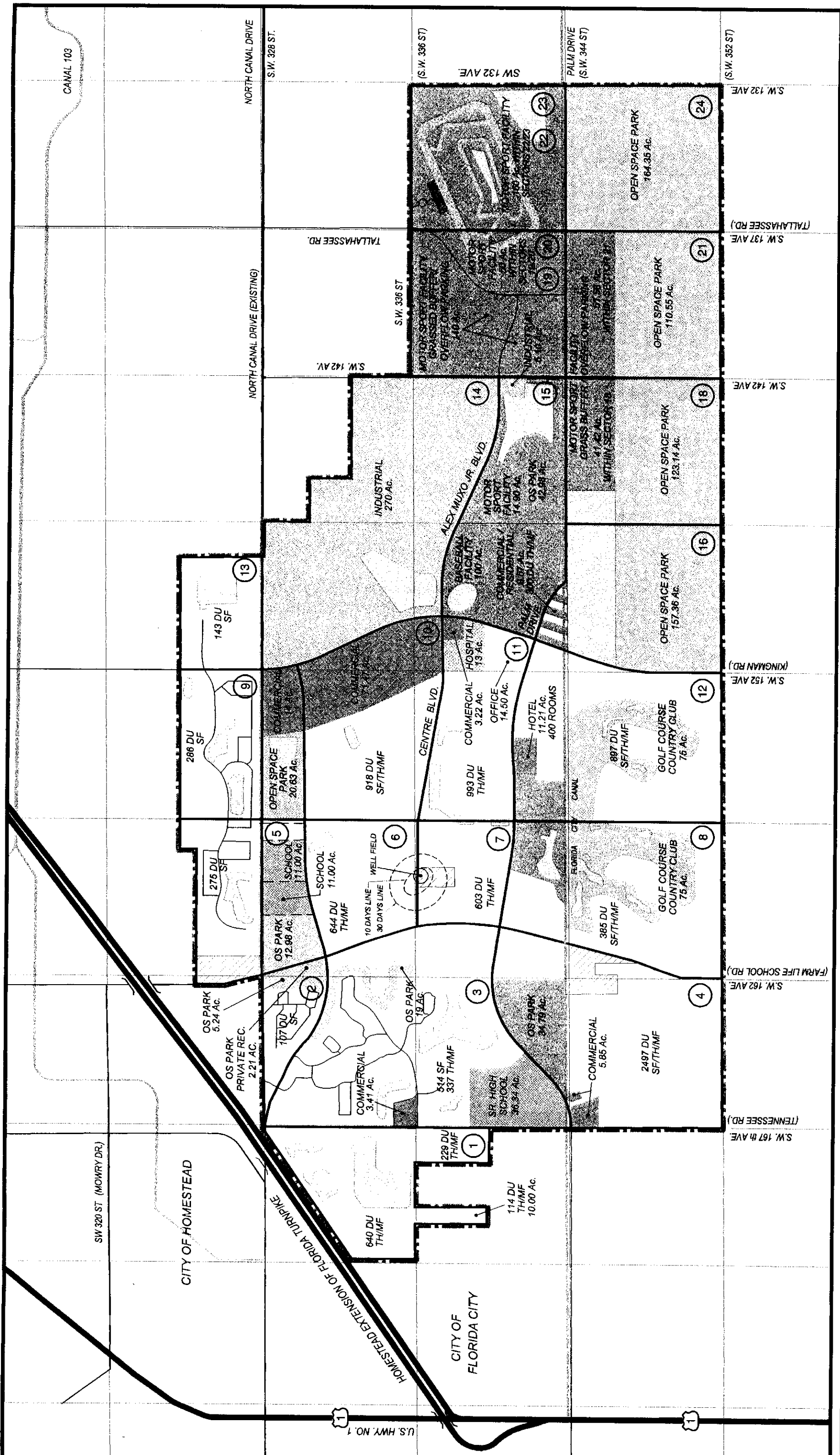
EXHIBIT "D"  
MASTER DEVELOPMENT PLAN - PROPOSED LAND USE

	Dwelling Units			Open/Space Recreation (AC)	Private Recreation (AC)	Community Park	Golf Course (AC)	School (AC)	Public Service (AC)	Hospital (AC)	Commercial (AC)	Office (AC)	Industrial (AC)	Hotel (Rooms)	Baseball Stadium	Motorsport Facility (AC)
	SF	TH/MF	SF/TH/MF													
AREA 1																
	Sector 1															
	2	107		5.24	2.21											
	3	514	337	19.00				36.34			3.41					
	Total	621	1,320	24.24	2.21	0.00	0.00	36.34	0.00	0.00	3.41	0.00	0.00	0.00	0.00	0.00
AREA 2	Sector 5					12.98		22.00								
	6		644													
	7		603													
	9	286		20.63							14.00					
	10		918								71.47					
	11		993								3.22	14.50				
	13	143														
	Total	704	2240	20.63	0.00	12.98	0.00	22.00	0.00	13.00	88.69	14.50	0.00	0.00	0.00	0.00
	Sector 4					34.79		0.00	0.00		5.85					
	8		2,497				75.00									
AREA 3	12		897				75.00							400.00		
	16		300	157.36							9.57					
	Total		300	157.36	0.00	34.79	150.00	0.00	0.00	0.00	15.42	0.00	0.00	400.00	0.00	0.00
	Sector 14												270.00			
	15					42.98						5.10		100.00		14.90
AREA 4	TOTAL		0	0.00	0.00	42.98	0.00	0.00	0.00	0.00	0.00	0.00	275.10	0.00	100.00	14.90
	Sector 18															
	19			123.14												41.42
	20															80.00
	21			110.55												51.58
	22															80.00
	23															80.00
	24			164.35												
	Total		0	398.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	413.00
	TOTAL	1325	3860	600.27	2.21	90.75	150.00	58.34	0.00	13.00	107.52	14.50	275.10	400.00	100.00	427.90

98-041 Keys Gate DRI 11-28-01

Q:\FORD COMPANIES\Keys Gate DRI\MR Drg\Plan - Proposed Land Use - 11.28.01.doc

EXHIBIT "B" TO ORDINANCE NO. \_\_\_\_\_



**LEGEND:**

- Subject Parcel
- Sector Lines
- Canal
- Section Line
- Existing Wellfield Cone of Influence
- Restricting Density

**Residential**

**Commercial**

**Institutional**

**Industrial**

**Recreational**

**Open Space**

**Non-Owned**

**Office**

**Hospital**

**EXHIBIT "A" TO ORDINANCE NO. \_\_\_\_\_**

**Exhibit "C"**

**Proposed Master Plan**

Date: 10-26-01  
Revised: 11-29-01

**KeysGate at the Villages of Homestead**

**EXHIBIT K**  
**DERM CLASS IV PERMITS**

MIAMI-DADE COUNTY  
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT  
NATURAL RESOURCES DIVISION

AGREEMENT

FOR

CLASS IV WETLANDS PERMIT

**Parking lot for:**

**Homestead-Miami Speedway LLC**

Suite 400  
33 S.W. 2nd Avenue  
Miami, Florida 33130  
(305) 372-6585

PERMIT NO. FW 00-104

DATE ISSUED: 08/06/01

EXPIRATION DATE: 08/06/04

AGREEMENT FOR WORK IN FRESHWATER WETLANDS  
MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES  
MANAGEMENT (DERM)  
NATURAL RESOURCES DIVISION

This agreement, between the Permittee named herein and Miami-Dade County Department of Environmental Resources Management (DERM), is made for the purpose of accomplishing the work described herein.

1. Proposed Work, Construction, or Use:

This permit authorizes the filling of 60.0 acres of jurisdictional wetlands for the purpose of creating a parking lot for the Homestead-Miami Speedway. All work shall comply with the Special Conditions on Pages 4 through 8, and with the site plan for Homestead-Miami Speedway, LLC, entitled, "Construction Phase Plan," prepared by EAS Engineering, Inc., signed and sealed on August 3, 2001 (State of Florida P.E. number 31184) (copy of plan attached).

2. Location:

This project occurs on two parcels located on the north side of Southwest 336 Street, with one lying on the western side of Southwest 137 Avenue, and the other lying on the eastern side of Southwest 137 Avenue. The western parcel, folio number 10-7922-001-0071, will only have the eastern approximately 1,277.35 feet filled under Class IV Permit FW 00-104. This portion of the western parcel is legally described as Lots 21, 22, 23, 24, 25, and 26, Block 1, in Section 22, Township 57 South, Range 39 East, in Homestead, Miami-Dade County, Florida, less the east 25 feet of said lot 26, Block 1, and less the south 5 feet of said Lots 21, 22, 23, 24, 25, and 26, Block 1, and less all that portion of said Lot 26 in Block 1 which lies within the external area formed by a 25 foot radius arc concave to the northwest, tangent to a line 55 feet west of and parallel with the east line of the northeast ¼ of said Section 22 and tangent to a line 35 feet north of and parallel with the south line of the northeast ¼ of said Section 22. The eastern parcel, folio number 10-7923-001-0022, is legally described as Lots 15, 16, 17, 18, 19, and 20, Block 2, Section 23, Township 57 South, Range 39 East, in Homestead, Miami-Dade County, Florida, less the west 53 feet and less the south 30 feet of Lots 16 thru 20 and less the south 35 feet of Lot 15 and less the exterior area of curve in the southwest corner for right-of-way, Block 2.

3. Name, Address, and Phone of

Permittee:

Curtis Gray, President  
Homestead-Miami Speedway, L.L.C.  
One Speedway Blvd.  
Homestead, Florida 33035  
(305) 230-5200

Consultant:

Edward A. Swakon, P.E.  
EAS Engineering, Inc.  
55 Almeria Ave.  
Coral Gables, Florida 33134  
(305) 445-5553



4. DERM Project Manager: Janet Gil  
(305) 372-6585

5. Pre-Work Conference:

At the discretion of the Director, a pre-work conference may be held prior to the commencement of any work under this Permit. The conference shall include the Owner, the Owner's Contractor and Engineer, and representatives of DERM together with any property owners or other persons whose interests may be affected by the work.

6. Agencies other than the Department of Environmental Resources Management from whom approval may be necessary (as checked):

X South Florida Water Management District

X Miami-Dade County Department of Planning, Development and Regulation

X Miami-Dade County Department of Public Works

X U. S. Army Corps of Engineers

X State of Florida Department of Environmental Protection

Recommended: Jane P. Downer 08/06/01  
Wetland and Forest Resources Section

SPECIAL CONDITIONS for Class IV Permit FW 00-104:

1. All of the plans and documents referenced on page 2 of Class IV Permit FW 00-104 are a part of the conditions of this permit. In case of conflict between any of these approved plans, or between these plans and any condition of this permit, a determination as to which plan or condition will be followed will be made by DERM.
2. The maximum area of jurisdictional wetlands that may be impacted is **60.0** acres. **NO ADDITIONAL WORK BEYOND THE LIMITS OF THIS AREA IS AUTHORIZED UNDER THIS PERMIT.**
3. The fill material shall consist of clean fill (soil, rock, sand, marl, clay, stone). No trash, garbage, wood, asphalt, roofing materials, tires, metals, cleared vegetation, building debris, or similar materials are allowed to be used as fill. **EVIDENCE THAT IMPROPER FILL MATERIAL HAS BEEN USED SHALL RESULT IN THE INITIATION OF ENFORCEMENT ACTION BY DERM AGAINST THE PERMITTEE. FAILURE OF THE PERMITTEE TO CEASE AND DESIST THE IMPROPER FILL VIOLATION AFTER RECEIVING WRITTEN NOTICE BY DERM, OR TO FULLY CORRECT THE VIOLATION WITHIN THE TIME FRAMES SPECIFIED BY DERM'S WRITTEN NOTICE, WILL RESULT IN THE IMMEDIATE REVOCATION OF THIS PERMIT.**
4. The Permittee and/or owner shall not plant or allow the establishment of any of the following exotic tree species on his or her property:
  - A. Melaleuca quinquenervia (Punk Tree)
  - B. Casuarina spp. (Australian Pines)
  - C. Schinus terebinthifolius (Brazilian Pepper)
  - D. Bischofia javanica (Bishopwood)
  - E. Ricinus communis (Castor Bean)
  - F. Ardisia elliptica (humilis) (Shoebutton Ardisia)
  - G. Cestrum diurnum (Day Jasmine)
  - H. Cupaniopsis anacardioides (Carrotwood)
  - I. Acacia auriculiformis (earleaf acacia)
  - J. Adenanthera pavonia (red sandalwood)
  - K. Albizia lebbek (woman's tongue)
  - L. Colubrina asiatica (lather leaf)
  - M. Dalbergia sisoo (sissoo)
  - N. Ficus altissima (banyan tree)
  - O. Ficus bengalensis
  - P. Ficus benamina (weeping fig)

SPECIAL CONDITIONS, continued...

- Q. Ficus elastica (Indian rubber tree)
- R. Ficus microcarpa (laurel fig)
- S. Flacourtia indica (governor's plum)
- T. Hibiscus tiliaceus (mahoe)
- U. Jasminum dichotomum (gold coast jasmine)
- V. Jasminum fluminense (jasmine)
- W. Leucaena leucocephala (lead tree)
- X. Mimosa pigra (catclaw mimosa)
- Y. Merremia tuberosa (wood rose)
- Z. Neyraudia reynaudiana (cane grass)
- AA. Schefflera actinophylla (schefflera)
- BB. Solanum viarum (tropical soda apple)
- CC. Thespesia populnea (seaside mahoe)

If any of the above listed exotic tree species currently exist on the subject property, the Permittee shall remove and dispose of them within sixty (60) days of commencement of work. Contact DERM regarding appropriate methods of removal and disposal of exotic species.

- 5. DERM (Project Manager) shall be notified, in writing, a minimum of one week prior to the commencement of construction.
- 6. This Permit does not authorize residential use of the property or the placement of a trailer on the property. Separate approval from Miami-Dade County Planning and Zoning (305-375-2500) is required for those uses.
- 7. No structure requiring the installation of a septic tank shall be placed on the subject property unless authorized in writing by the Environmental Quality Control Board and the State of Florida Department of Health (305-623-3574).
- 8. Adequate turbidity controls shall be used so that any discharge or run-off to the surrounding wetland area does not violate Section 24-54(3) of the Miami-Dade County Code and Chapter 62-302.530 (70) of the Florida Administrative Code. Turbidity shall be monitored visually by the Permittee, or his designee, at the perimeter of the subject property. If turbidity is observed to be flowing off-site from the subject property, the Permittee shall notify the DERM Project Manager immediately.
- 9. During construction, no soil, vehicles or heavy equipment, fill, building materials, construction debris, dead vegetation, or any other materials shall be placed, stored, or deposited in the adjacent wetland areas surrounding the subject property permitted by Class IV Permit FW 00-104.

SPECIAL CONDITIONS, continued...

10. There shall be no disruption of soil, rock formations, or plants within the adjacent wetlands surrounding the subject property permitted by Class IV Permit FW 00-104.
11. The subject property is located in an area subject to frequent and regular flooding. The Permittee is advised that, at this time, Miami-Dade County has no plans to provide additional flood protection or drainage in this area. The issuance of this Class IV Wetland Permit Agreement authorizes the Permittee to undertake work in, on, or upon wetlands on the project site, but it does not constitute an acknowledgment that the project will comply with the regulatory requirements for flood protection established by Miami-Dade County through the issuance of a Class II Permit or by the South Florida Water Management District through the issuance of a Management and Storage of Surface Water Construction Permit.
12. If any endangered species, threatened species, or species of special concern are encountered during project activities, it shall be the Permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission/U.S. Fish and Wildlife Service for appropriate guidance. In addition, the DERM Project Manager shall be notified.
13. If historical or archaeological artifacts are discovered at any time on the project site, the Permittee shall immediately notify the Miami-Dade County Historic Preservation Division of the Office of Community and Economic Development at (305) 375-3469.
14. The attached Declaration of Restrictions (see Exhibit A) for the Class IV Permit application for the subject project is incorporated into Class IV Permit FW 00-104. Note that the attached Declaration of Restrictions is a draft document only. If this document requires further modification, the final County approved document will supersede this draft document.
15. This permit shall remain in effect for ~~two (2)~~ <sup>three (3)</sup> years from the date of issuance. The permit holder may request an extension of time from DERM pursuant to Section 24-58.9(B)(2). All requests for permit extension, must be filed in writing at least thirty (30) days prior to permit expiration.
16. If the property is sold during the life of this permit, the buyer must have the permit transferred to him or her prior to the sale of the property to allow the permit to remain in effect. It will be the responsibility of the Permittee to disclose the necessity of transferring the permit prior to the sale of the property. Procedures for permit transfer are outlined in 24.58.17 Code of Miami-Dade County.
17. The final plat for this project will require approval from DERM's Wetland and Forest Resources Section.

SPECIAL CONDITIONS, continued...

18. Failure to comply with the above-stated conditions shall result in revocation of this permit.

I HEREBY ACKNOWLEDGE THAT I AM FULLY RESPONSIBLE FOR THE IMPLEMENTATION OF ALL WORK AUTHORIZED UNDER THIS PERMIT AGREEMENT AND AGREE TO TAKE FULL RESPONSIBILITY FOR ENSURING ADHERENCE TO ALL CONDITIONS, LIMITATIONS AND RESTRICTIONS CONTAINED IN THIS PERMIT AGREEMENT. I FURTHER AGREE TO ASSUME FULL RESPONSIBILITY FOR THE ACTIONS OF ALL MY EMPLOYEES, AGENTS, PERSONS UNDER DIRECT OR INDIRECT CONTRACTUAL OBLIGATION TO ME WITH RESPECT TO THE WORK AUTHORIZED HEREIN. I FURTHER AGREE TO ENSURE THAT ALL SUCH EMPLOYEES, AGENTS, AND PERSONS SHALL ABIDE BY ALL CONDITIONS, LIMITATIONS, AND RESTRICTIONS CONTAINED IN THIS PERMIT.

Permittee(s):

Curtis Gray  
CURTIS GRAY  
PRESIDENT

Date:

AUG. 3, 2001

STATE of Florida  
County of Dade

Sworn to and subscribed before me this 3rd day of August, 2001  
by Curtis Gray who is personally known to me.



LORRAINE LEAL  
COMMISSION # CC 722713  
EXPIRES MAR 20, 2002  
BONDED THRU  
ATLANTIC BONDING CO., INC.

*Lorraine Leal*

IN WITNESS WHEREOF the said MIAMI-DADE COUNTY, FLORIDA, has caused this Permit Agreement to be executed in its name by the Director of Environmental Resources Management, and the Permittee has caused this Permit Agreement to be executed in his/her name.

WHEN THE PERMITTEE IS AN INDIVIDUAL

Witnesses

Owner

_____	_____ SIGN
_____	_____ PRINT
_____	_____ DATE

WHEN THE PERMITTEE IS A CORPORATION

B. de la Barra  
Secretary/Witness

\_\_\_\_\_  
Homestead-Miami Speedway, L.L.C.

DATE August 3, 2001

BY C. Gray  
President

(AFFIX CORPORATE SEAL)

DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

Issued On: 08/06/01

By Jane B. Doan  
Director or his Designee

**THE ISSUANCE OF THIS PERMIT DOES NOT RELIEVE THE PERMITTEE FROM OBTAINING ALL REQUIRED FEDERAL, STATE, AND LOCAL PERMITS.**

Page 8

State of Florida  
County of Dade

Sworn to and subscribed before me this 3rd day of August, 2001  
by Curtis Gray who is personally known to me.



Lorraine Leal

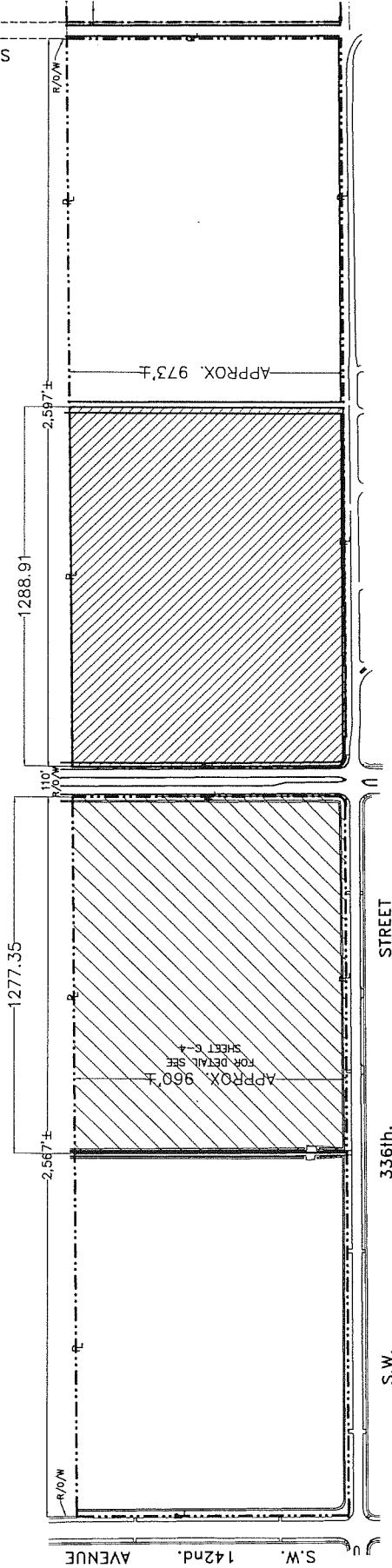
REV.	DATE & DESCRIPTION
1	PHASING PLAN 2/8/01

S.W. 132nd. AVE.

S.W. 137th. AVE.

**CONSTRUCTION PHASES**

- PHASE I  
PHASE II



SCALE: 1" = 600'

**PHASING PLAN**

Total Acres to be filled 60 AC.  
No more than 30 AC shall be East of SW 137 Ave.

COUNTY OF MIAMI-DADE STATE OF FLORIDA  
APPLICATION BY:  
HOMESTEAD-MIAMI SPEEDWAY, L.L.C.  
ONE SPEEDWAY BLVD.  
HOMESTEAD, FLORIDA 33035  
SHEET 1 DATE: 7/18/01  
SECTION: 22,23  
TOWNSHIP: 57  
RANGE: 39

PURPOSE: CONSTRUCTION PHASING PLAN  
DATUM: N/A  
JOB NO: 9501-25  
EAS ENGINEERING, INC.  
66 ALMERIA AVENUE CORAL GABLES 33134 (305)446-6653

This instrument was prepared by:  
Felix M. Lasarte, Esq.  
Steel Hector & Davis LLP  
First Union National Bank  
200 S. Biscayne Blvd  
Suite 4100  
Miami, Florida 33131

### DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to approximately 60 acres of land in Miami-Dade County, Florida, described in Exhibit "A", attached hereto, and hereinafter called the "Property", which is supported by the attorney's opinion attached as Exhibit "B"; and

WHEREAS, said Property lies within the City of Homestead and it is subject to an interlocal agreement whereby the land use for the Property is subject to the Miami-Dade County Comprehensive Development Master Plan and the zoning is subject to the City of Homestead Zoning Ordinances; and

WHEREAS, the Owner applied for a Class IV Permit ("Permit") to fill the sixty (60) acre Property and appeared before the Miami-Dade County Commission in order to obtain said Permit and said Permit was approved upon the Owner's proffer of a Declaration of Restrictions limiting the uses on the Property and:

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing Item 4(M) Substitute #2, heard before the Miami-Dade Board of County Commissioners on July 12, 2001, will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- 1) Owner agrees that so long as the Property remains zoned Agricultural under the City of Homestead Zoning Ordinance or the Miami-Dade County Comprehensive Development Master Plan designates the Property as Agricultural, that the only uses permitted on the Property will be for agricultural uses and uses ancillary thereto and temporary overflow parking for major events at the Homestead-Miami Speedway.

County Use Only

Legal Verified \_\_\_\_\_

Declaration of Restrictions

(Public Hearing)

EXHIBIT A



County Use OnlyLegal Verified \_\_\_\_\_

(Public Hearing)

**Declaration of Restrictions**

Page Two

**County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the public welfare.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

**Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners.

Should this Declaration of Restrictions be so modified, amended or released, the County Manager or his/her designee shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment, or release.

**Enforcement.** Enforcement shall be by action against any parties of person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Ex-A

**Declaration of Restrictions**  
**Page Three**

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition of any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval or occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidation of anyone of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect.

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost to the Owner following the adoption by the Miami-Dade County Board of County Commissioners of a resolution approving the application .

(Public Hearing)

Ex. A

## ACKNOWLEDGMENT

Signed, witnessed, executed and acknowledged on this 3<sup>rd</sup> day of August, 2001.

WITNESSES:

Kellie Marshall  
Signature

Print Name: Kellie Marshall

Barbara K. Norland  
Signature

Print Name: Barbara K. Norland

Curtis Gray  
Curtis Gray, President  
Address: Homestead-Miami Speedway,  
LLC, a Delaware limited liability company  
One Speedway Boulevard  
Homestead, Florida 33055

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Curtis Gray, as President of Homestead-Miami Speedway LLC, a Delaware limited liability company, who is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 3<sup>rd</sup> day of August, 2001, in the County and State aforesaid.



LORRAINE LEAL  
COMMISSION # CC 722713  
EXPIRES MAR 20, 2002  
BONDED THRU  
ATLANTIC BONDING CO., INC.

Lorraine Leal  
Notary Public State of Florida

LORRAINE LEAL  
Print Name

My Commission Expires:

Ex. A

26 01 04:26p

Ed Swakon

(305) 444-2112

p. 6

Jul-26-01 03:10pm From-SH&D LLP ,

305 577 7001

T-788 P.006

F-888

# EXHIBIT "A"

## LEGAL DESCRIPTION - PROPERTY EAST OF S.W. 137<sup>TH</sup> AVENUE

### PARCEL 2

LOTS 15, 16, 17, 18, 19, & 20, BLOCK 2, "MIAMI LAND DEVELOPMENT COMPANY" OF SECTION 23, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**EXHIBIT "A"**  
**CONTINUED**

**LEGAL DESCRIPTION - PROPERTY WEST OF S.W. 137<sup>TH</sup> AVENUE**

LOTS 21, 22, 23, 24, 25, AND 26, BLOCK 1, "MIAMI LAND DEVELOPMENT COMPANY" OF SECTION 22, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS:

THE EAST 25.00 FEET OF SAID LOT 26, BLOCK 1

LESS:

THE SOUTH 5.00 FEET OF SAID LOTS 21, 22, 23, 24, 25, 25 AND 26, BLOCK 1.

LESS:

ALL THAT PORTION OF SAID LOT 26 IN BLOCK 1 WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25.00 FOOT RADIUS ARC CONCAVE TO THE NORTHWEST, TANGENT TO A LINE 55.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22 AND TANGENT TO A LINE 35.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22.

~~15~~ → Binder

MIAMI-DADE COUNTY  
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT  
NATURAL RESOURCES DIVISION

AGREEMENT  
FOR  
CLASS IV WETLANDS PERMIT

**Parking lot for:**  
**Homestead-Miami Speedway LLC**

Suite 400  
33 S.W. 2nd Avenue  
Miami, Florida 33130  
(305) 372-6585

PERMIT NO. **FW 00-104A**

DATE ISSUED: 7.19.04 EXPIRATION DATE: 7.19.06

✓

AGREEMENT FOR WORK IN FRESHWATER WETLANDS  
MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES  
MANAGEMENT (DERM)  
NATURAL RESOURCES DIVISION

This agreement, between the Permittee named herein and Miami-Dade County Department of Environmental Resources Management (DERM), is made for the purpose of accomplishing the work described herein.

1. Proposed Work, Construction, or Use:

This permit authorizes the filling of 60.0 acres of jurisdictional wetlands for the purpose of creating a parking lot for the Homestead-Miami Speedway. All work shall comply with the Special Conditions on Pages 4 through 8, and with the site plans for Homestead-Miami Speedway, LLC, prepared by EAS Engineering, Inc., signed and sealed on April 1, 2004, Pages 1-4 (copy of plans attached) and with the site plans entitled "Homestead-Miami Speedway, LLC" prepared by EAS Engineering, Inc., signed and sealed on July 12, 2004.

2. Location:

This project occurs on two parcels located on the north side of Southwest 336 Street, with one lying on the western side of Southwest 132 Avenue, and the other lying on the eastern side of Southwest 142 Avenue. The western parcel, folio number 10-7922-001-0071, will only have the western approximately 1,342 feet filled under Class IV Permit FW 00-104A. The eastern parcel, folio number 10-7923-001-0023, will be filled entirely under Class IV Permit FW 00-104A.

3. Name, Address, and Phone of Permittee:

Curtis Gray, President  
Homestead-Miami Speedway, L.L.C.  
One Speedway Blvd.  
Homestead, Florida 33035  
(305) 230-5200

Consultant:

Edward A. Swakon, P.E.  
EAS Engineering, Inc.  
55 Almeria Ave.  
Coral Gables, Florida 33134  
(305) 445-5553

4. DERM Project Manager: Janet Gil  
(305) 372-6585

5. Pre-Work Conference: N/A

At the discretion of the Director, a pre-work conference may be held prior to the commencement of any work under this Permit. The conference shall include the Owner, the Owner's Contractor and Engineer, and representatives of DERM together with any property owners or other persons whose interests may be affected by the work.

6. Agencies other than the Department of Environmental Resources Management from whom approval may be necessary (as checked):

☒ South Florida Water Management District  
☒ Miami-Dade County Department of Planning, Development and Regulation  
☒ Miami-Dade County Department of Public Works  
☒ U. S. Army Corps of Engineers  
☒ State of Florida Department of Environmental Protection

Recommended: \_\_\_\_\_

Wetland and Forest Resources Section



IN WITNESS WHEREOF the said MIAMI-DADE COUNTY, FLORIDA, has caused this Permit Agreement to be executed in its name by the Director of Environmental Resources Management, and the Permittee has caused this Permit Agreement to be executed in his/her name.

WHEN THE PERMITTEE IS AN INDIVIDUAL

Witnesses

Owner

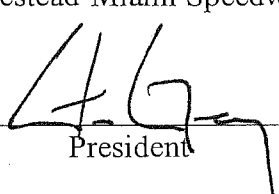
_____	_____ SIGN
_____	_____ PRINT
_____	_____ DATE

WHEN THE PERMITTEE IS A CORPORATION

\_\_\_\_\_  
Secretary/Witness

\_\_\_\_\_  
Homestead-Miami Speedway, L.L.C.

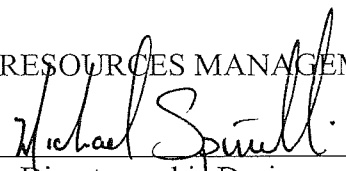
DATE \_\_\_\_\_

BY   
President

(AFFIX CORPORATE SEAL)

DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

Issued On: 7.19.04

By   
Director or his Designee

**THE ISSUANCE OF THIS PERMIT DOES NOT RELIEVE THE PERMITTEE FROM OBTAINING ALL REQUIRED FEDERAL, STATE, AND LOCAL PERMITS.**

SPECIAL CONDITIONS for Class IV Permit FW 00-104A:

1. All of the plans and documents referenced on page 2 of Class IV Permit FW 00-104A are a part of the conditions of this permit. In case of conflict between any of these approved plans, or between these plans and any condition of this permit, a determination as to which plan or condition will be followed will be made by DERM.
2. The maximum area of jurisdictional wetlands that may be impacted is **60.0** acres.  
**NO ADDITIONAL WORK BEYOND THE LIMITS OF THIS AREA IS AUTHORIZED UNDER THIS PERMIT.**
3. The fill material shall consist of clean fill (soil, rock, sand, marl, clay, stone). No trash, garbage, wood, asphalt, roofing materials, tires, metals, cleared vegetation, building debris, or similar materials are allowed to be used as fill. **EVIDENCE THAT IMPROPER FILL MATERIAL HAS BEEN USED SHALL RESULT IN THE INITIATION OF ENFORCEMENT ACTION BY DERM AGAINST THE PERMITTEE. FAILURE OF THE PERMITTEE TO CEASE AND DESIST THE IMPROPER FILL VIOLATION AFTER RECEIVING WRITTEN NOTICE BY DERM, OR TO FULLY CORRECT THE VIOLATION WITHIN THE TIME FRAMES SPECIFIED BY DERM'S WRITTEN NOTICE, WILL RESULT IN THE IMMEDIATE REVOCATION OF THIS PERMIT.**
4. The Permittee and/or owner shall not plant or allow the establishment of any of the following exotic tree species on his or her property:
  - A. Melaleuca quinquenervia (Punk Tree)
  - B. Casuarina spp. (Australian Pines)
  - C. Schinus terebinthifolius (Brazilian Pepper)
  - D. Bischofia javanica (Bishopwood)
  - E. Ricinus communis (Castor Bean)
  - F. Ardisia elliptica (humilis) (Shoebuttan Ardisia)
  - G. Cestrum diurnum (Day Jasmine)
  - H. Cupaniopsis anacardioides (Carrotwood)
  - I. Acacia auriculiformis (earleaf acacia)
  - J. Adenanthera pavonia (red sandalwood)
  - K. Albizia lebbbeck (woman's tongue)
  - L. Colubrina asiatica (lather leaf)
  - M. Dalbergia sisoo (sissoo)
  - N. Ficus altissima (banyan tree)
  - O. Ficus bengalensis
  - P. Ficus benjamina (weeping fig)
  - Q. Ficus elastica (Indian rubber tree)
  - R. Ficus microcarpa (laurel fig)

SPECIAL CONDITIONS, continued...

- S. Flacourtia indica (governor's plum)
- T. Hibiscus tiliaceus (mahoe)
- U. Jasminum dichotomum (gold coast jasmine)
- V. Jasminum fluminense (jasmine)
- W. Leucaena leucocephala (lead tree)
- X. Mimosa pigra (catclaw mimosa)
- Y. Merremia tuberosa (wood rose)
- Z. Neyraudia reynaudiana (cane grass)
- AA. Schefflera actinophylla (schefflera)
- BB. Solanum viarum (tropical soda apple)
- CC. Thespesia populnea (seaside mahoe)

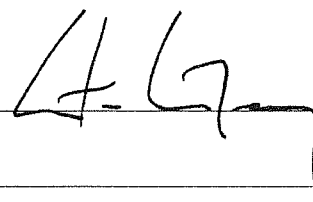
If any of the above listed exotic tree species currently exist on the subject property, the Permittee shall remove and dispose of them within sixty (60) days of commencement of work. Contact DERM regarding appropriate methods of removal and disposal of exotic species.

5. The Permittee agrees to mitigate for unavoidable adverse impacts to jurisdictional wetlands by constructing additional stormwater improvements that include a berm at an elevation of 7.00 feet (NGVD), 1800 feet of trenches with perforated pipe, inlet structures and grassy swales as shown on the site plans entitled "Homestead-Miami Speedway, LLC" prepared by EAS Engineering, Inc., signed and sealed on July 12, 2004. The 1800 feet of trenches includes an additional 900 feet of exfiltration to the approved on-site drainage system that will provide approximately 8.6 acre-feet of additional drainage capacity based on the volume for one hour of exfiltration.
6. DERM (Project Manager) shall be notified, in writing, a minimum of one week prior to the commencement of construction.
7. This Permit does not authorize residential use of the property or the placement of a trailer on the property. Separate approval from Miami-Dade County Planning and Zoning (305-375-2500) is required for those uses.
8. No structure requiring the installation of a septic tank shall be placed on the subject property unless authorized in writing by the Environmental Quality Control Board and the State of Florida Department of Health (305-623-3574).
9. Adequate turbidity controls shall be used so that any discharge or run-off to the surrounding wetland area does not violate Section 24-54(3) of the Miami-Dade County Code and Chapter 62-302.530 (70) of the Florida Administrative Code. Turbidity shall be monitored visually by the Permittee, or his designee, at the perimeter of the subject property. If turbidity is observed to be flowing off-site from the subject property, the Permittee shall notify the DERM Project Manager immediately.

10. During construction, no soil, vehicles or heavy equipment, fill, building materials, construction debris, dead vegetation, or any other materials shall be placed, stored, or deposited in the adjacent wetland areas surrounding the subject property permitted by Class IV Permit FW 00-104A.
11. There shall be no disruption of soil, rock formations, or plants within the adjacent wetlands surrounding the subject property permitted by Class IV Permit FW 00-104A.
12. The subject property is located in an area subject to frequent and regular flooding. The Permittee is advised that, at this time, Miami-Dade County has no plans to provide additional flood protection or drainage in this area. The issuance of this Class IV Wetland Permit Agreement authorizes the Permittee to undertake work in, on, or upon wetlands on the project site, but it does not constitute an acknowledgment that the project will comply with the regulatory requirements for flood protection established by Miami-Dade County through the issuance of a Class II Permit or by the South Florida Water Management District through the issuance of a Management and Storage of Surface Water Construction Permit.
13. If any endangered species, threatened species, or species of special concern are encountered during project activities, it shall be the Permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission/U.S. Fish and Wildlife Service for appropriate guidance. In addition, the DERM Project Manager shall be notified.
14. If historical or archaeological artifacts are discovered at any time on the project site, the Permittee shall immediately notify the Miami-Dade County Historic Preservation Division of the Office of Community and Economic Development at (305) 375-3469.
15. Within fifteen (15) days of the issuance of this Permit, an updated Declaration of Restrictions to assure the County that the representations made by the owner during public hearings before the Board of County Commissioners will be abided by shall be submitted to DERM that incorporates the existing Declaration of Restrictions (Public Record 01R471758) and the new Declaration of Restrictions required for this Class IV Permit. The updated Declaration of Restrictions will be an exhibit to this Permit and incorporated by reference. If this document requires further modification, the final County approved document will supersede any previous document.
16. This permit shall remain in effect for three (3) years from the date of issuance. The permit holder may request an extension of time from DERM pursuant to Section 24-58.9(B)(2). All requests for permit extension, must be filed in writing at least thirty (30) days prior to permit expiration.

17. It is a violation of the Miami-Dade County Code to perform any work authorized pursuant to this permit if the permittee sells or otherwise transfers ownership of the property unless DERM has approved an Application for Transfer of this permit to a subsequent property owner. An Application for Transfer may be filed with DERM at any time prior to the transfer of property ownership and, for a limited time, after the transfer of property ownership and must be signed by both the proposed transferee and transferor. Applications for Transfer shall be filed in the form prescribed by DERM and shall not be processed if the filed Application for Transfer is not fully complete in all respects pursuant to Section 24-58.17 of the Code of Miami-Dade County within 120 days of the date of transfer of property ownership. In addition to the aforementioned requirements, an Application for Transfer of this permit shall be filed with DERM not later than 90 days prior to the expiration date of this permit, and the project shall be in compliance with all the restrictions, limitations, and conditions of this permit and any related covenants at the time of submittal of the Application for Transfer and continuously throughout the time period during which the application is being processed.
18. The final plat for this project will require approval from DERM's Wetland and Forest Resources Section.
19. Failure to comply with the above-stated conditions shall result in revocation of this permit.

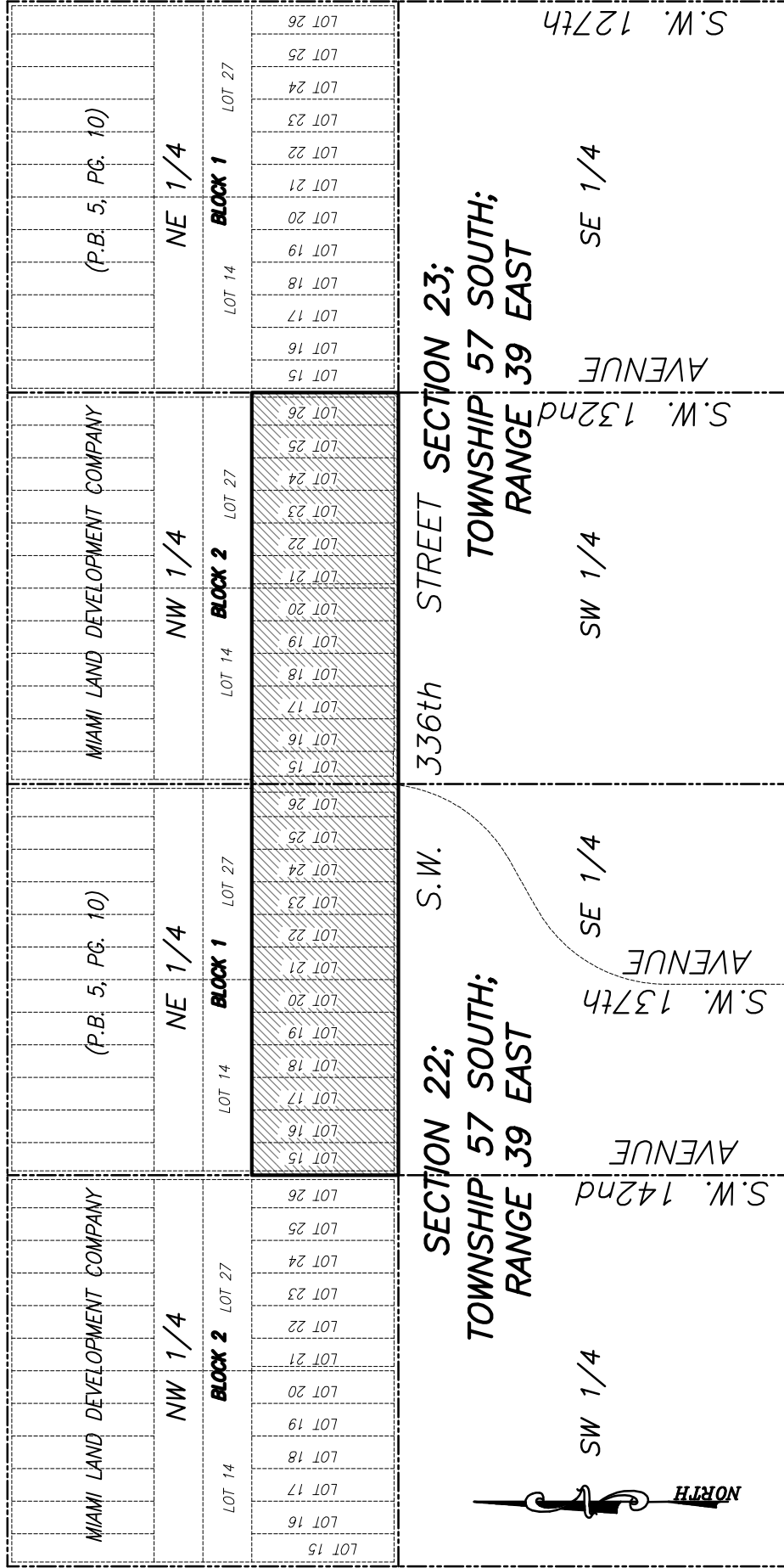
**I HEREBY ACKNOWLEDGE THAT I AM FULLY RESPONSIBLE FOR THE IMPLEMENTATION OF ALL WORK AUTHORIZED UNDER THIS PERMIT AGREEMENT AND AGREE TO TAKE FULL RESPONSIBILITY FOR ENSURING ADHERENCE TO ALL CONDITIONS, LIMITATIONS AND RESTRICTIONS CONTAINED IN THIS PERMIT AGREEMENT. I FURTHER AGREE TO ASSUME FULL RESPONSIBILITY FOR THE ACTIONS OF ALL MY EMPLOYEES, AGENTS, PERSONS UNDER DIRECT OR INDIRECT CONTRACTUAL OBLIGATION TO ME WITH RESPECT TO THE WORK AUTHORIZED HEREIN. I FURTHER AGREE TO ENSURE THAT ALL SUCH EMPLOYEES, AGENTS, AND PERSONS SHALL ABIDE BY ALL CONDITIONS, LIMITATIONS, AND RESTRICTIONS CONTAINED IN THIS PERMIT.**

Permittee(s):   
\_\_\_\_\_  
\_\_\_\_\_

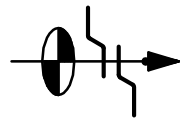
Date: 7-16-04

**EXHIBIT L**  
**LEGAL DESCRIPTION**

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SCALE 1" = 150'



## REVISIONS

*Schwabke-Shiskin & Associates, Inc.*  
 LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025  
 PHONE No. (954) 435-7010 FAX No. (954) 438-3288  
 ORDER NO. 192578  
 DATE: JULY 2, 2009  
 THIS IS NOT A "BOUNDARY SURVEY"  
 CERTIFICATE OF AUTHORIZATION No. LB-87

PREPARED UNDER MY SUPERVISION:  
 MARK STEVEN JOHNSON  
 FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

LEGEND:  
 \_\_\_\_\_ DENOTES SECTION LINE  
 PG. \_\_\_\_\_ DENOTES PAGE  
 P.B. \_\_\_\_\_ DENOTES PLAT BOOK

NOT TO SCALE  
 SHEET 1 OF 2 SHEETS

# LEGAL DESCRIPTION TO ACCOMPANY SKETCH

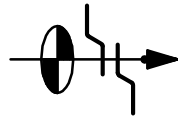
THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 22 TOWNSHIP 57 SOUTH, RANGE 39 EAST; AND TOGETHER WITH THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 23 TOWNSHIP 57 SOUTH, RANGE 39 EAST;

ALSO KNOW AS:

LOTS 15 THROUGH 26, BLOCK 1, IN THE NE 1/4 OF SECTION 22 TOWNSHIP 57 SOUTH, RANGE 39 EAST; TOGETHER WITH LOTS 15 THROUGH 26, BLOCK 2, IN THE NW 1/4 OF SECTION 23 TOWNSHIP 57 SOUTH, RANGE 39 EAST; ALL AS SHOWN ON THE PLAT OF MIAMI DEVELOPMENT COMPANY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT 5 AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

TOGETHER WITH ALL OF THE RIGHT OF WAY VACATIONS AND ROAD RESERVATIONS APPURTENANT TO.

LYING AND BEING IN THE CITY OF HOMESTEAD, MIAMI- DADE COUNTY, FLORIDA.



*Schwabke-Shiskin & Associates, Inc.*

LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025

PHONE No.(954)435-7010

FAX No. (954)438-3288

PREPARED UNDER MY SUPERVISION:

ORDER NO. 192578

DATE: JULY 2, 2009

THIS IS NOT A " BOUNDARY SURVEY"

CERTIFICATE OF AUTHORIZATION No. LB-87

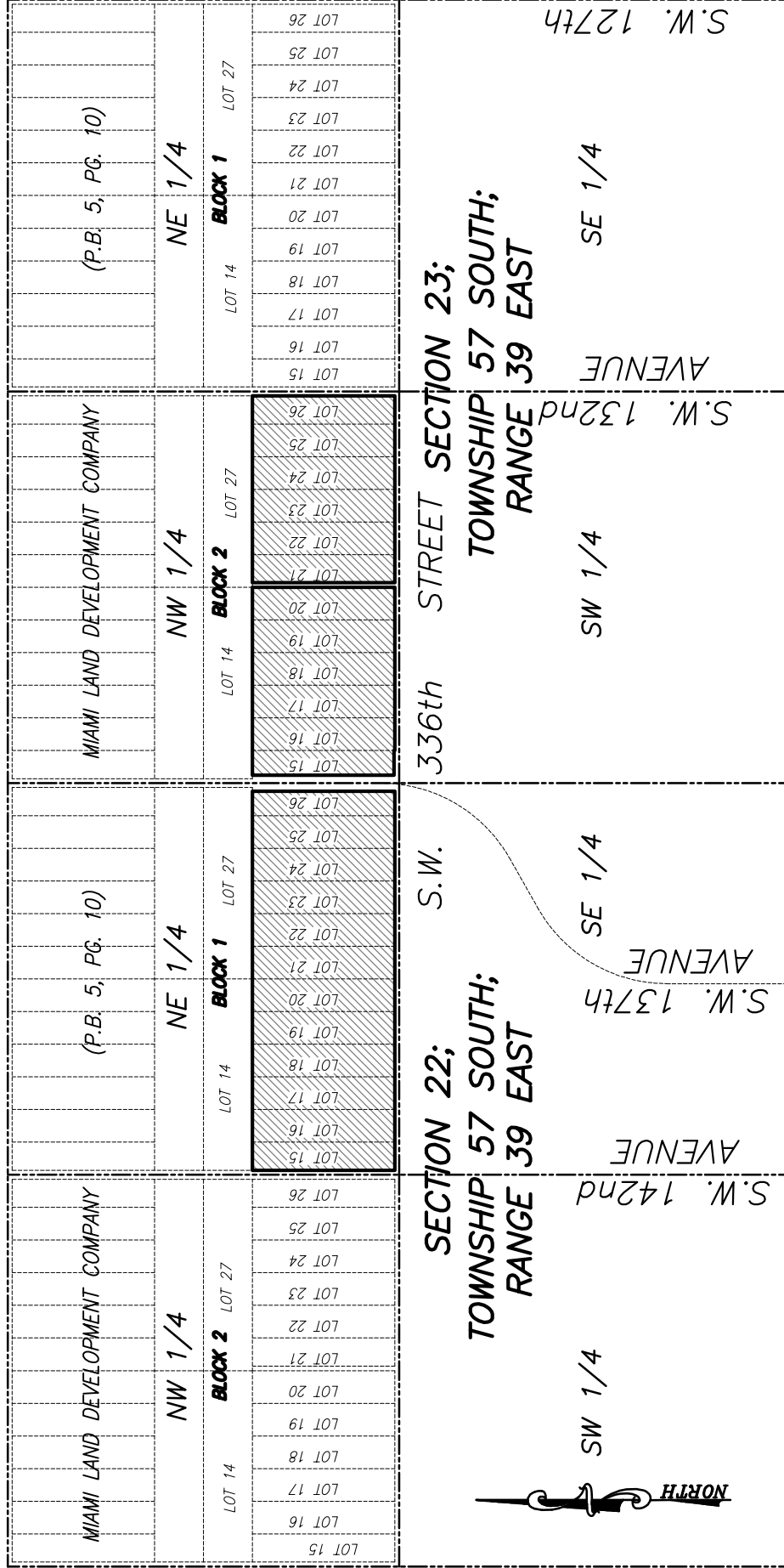
MARK STEVEN JOHNSON

FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

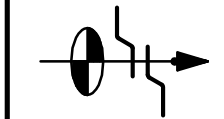
## REVISIONS



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SCALE 1" = 150'



## REVISIONS


*Schwabke-Shiskin & Associates, Inc.*  
 LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025  
 PHONE No. (954) 435-7010 FAX No. (954) 438-3288  
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PREPARED UNDER MY SUPERVISION:  
 MARK STEVEN JOHNSON  
 FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

LEGEND:	DENOTES SECTION LINE
---	DENOTES PAGE
P.B.	DENOTES PLAT BOOK

NOT TO SCALE  
 SHEET 1 OF 5 SHEETS

**NE 1/4; SECTION 22;  
TOWNSHIP 57 SOUTH; RANGE 39 EAST  
BLOCK 1**

LOT 15  
LOT 16  
LOT 17  
LOT 18  
LOT 19  
LOT 20  
LOT 21  
LOT 22  
LOT 23  
LOT 24  
LOT 25  
LOT 26

MIAMI LAND DEVELOPMENT COMPANY  
(P.B. 5, PG. 10)

MIAMI LAND DEVELOPMENT COMPANY  
(P.B. 5, PG. 10)

WEST LINE, NE 1/4, SECTION 22

S.W. 142nd AVENUE

S.W. 336th STREET

S.W. 137th AVENUE

30.00'

30.00'


30.00'

30.00'

55.00'

55.00'

NORTH



**Schwabke-Shiskin & Associates, Inc.**  
 LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025  
 PHONE No. (954)435-7010  
 FAX No. (954)438-3288  
 ORDER NO. 192578  
 DATE: JULY 2, 2009

REVISIONS


PREPARED UNDER MY SUPERVISION:

MARK STEVEN JOHNSON  
 FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

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 CERTIFICATE OF AUTHORIZATION No. LB-87

# LEGAL DESCRIPTION TO ACCOMPANY SKETCH

LOTS 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 26, BLOCK 1, "MIAMI DEVELOPMENT COMPANY" OF SECTION 22, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS

THE EAST 55.00 FEET OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 22 TOWNSHIP 57 SOUTH, RANGE 39 EAST.

LESS

THE WEST 30.00 FEET OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 22 TOWNSHIP 57 SOUTH, RANGE 39 EAST.

LESS

THE SOUTH 30.00 FEET OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 22 TOWNSHIP 57 SOUTH, RANGE 39 EAST.

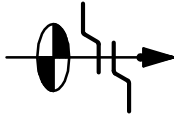
LESS

ALL THAT PORTION OF SAID LOT 26 IN BLOCK 1 WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25.00 RADIUS ARC CONCAVE TO THE NORTHWEST, TANGENT TO A LINE 55.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22 AND TANGENT TO A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22.

LYING AND BEING IN SECTION 22, TOWNSHIP 57 SOUTH, RANGE 39 EAST, CITY OF HOMESTEAD, MIAMI- DADE COUNTY, FLORIDA.

ALSO TOGETHER WITH

SEE SHEET 5 OF 5



*Schwabke-Shiskin & Associates, Inc.*

LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025

PHONE No.(954)435-7010

FAX No. (954)438-3288

PREPARED UNDER MY SUPERVISION:

ORDER NO. 192578

DATE: JULY 2, 2009

THIS IS NOT A " BOUNDARY SURVEY"

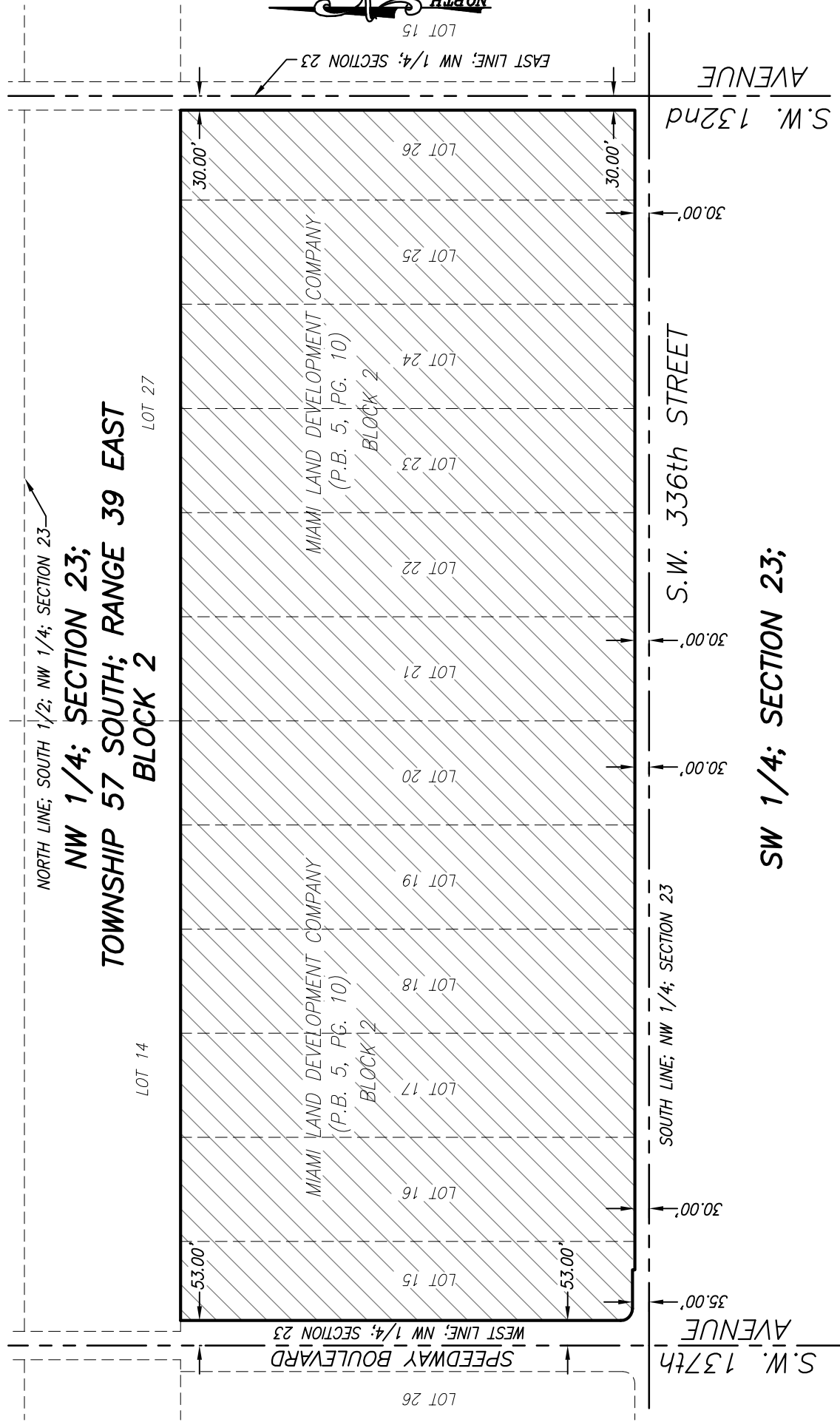
CERTIFICATE OF AUTHORIZATION No. LB-87

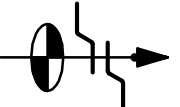
MARK STEVEN JOHNSON

FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION





ORDER NO. 192578  
DATE: JULY 2, 2009  
THIS IS NOT A "BOUNDARY SURVEY"  
CERTIFICATE OF AUTHORIZATION No. LB-87

PREPARED UNDER MY SUPERVISION:  
MARK STEVEN JOHNSON  
FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

**Schwabke-Shiskin & Associates, Inc.**  
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 PHONE No. (954) 435-7010 FAX No. (954) 438-3288  
 PREPARED UNDER MY SUPERVISION:  
 MARK STEVEN JOHNSON  
 FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

NO.	DESCRIPTION

LEGEND:

--- DENOTES SECTION LINE

PG. DENOTES PAGE

P.B. DENOTES PLAT BOOK

SCALE 1"=300'

SHEET 4 OF 5 SHEETS

# LEGAL DESCRIPTION TO ACCOMPANY SKETCH

PARCEL 2:

LOTS 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 26, BLOCK 2, "MIAMI DEVELOPMENT COMPANY" OF SECTION 23, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

LESS

THE WEST 53.00 FEET OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 23 TOWNSHIP 57 SOUTH, RANGE 39 EAST.

LESS

THE NORTH 5.00 FEET OF THE SOUTH 35.00 FEET OF THE EAST 107.00 FEET OF THE WEST 160.0 FEET OF SAID LOT 15, BLOCK 2.

LESS

ALL THAT PORTION OF SAID LOT 15 IN BLOCK 2 WHICH LIES WITHIN THE EXTERNAL AREA FORMED BY A 25.00 RADIUS ARC CONCAVE TO THE NORTHEAST, TANGENT TO A LINE 53.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23 AND TANGENT TO A LINE 35.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 23.

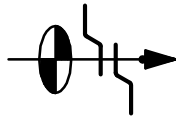
LESS

THE EAST 30.00 FEET OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 23 TOWNSHIP 57 SOUTH, RANGE 39 EAST.

LESS

THE SOUTH 30.00 FEET OF THE SOUTH 3/4 OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 23 TOWNSHIP 57 SOUTH, RANGE 39 EAST.

LYING AND BEING IN SECTION 23, TOWNSHIP 57 SOUTH, RANGE 39 EAST, CITY OF HOMESTEAD, MIAMI- DADE COUNTY, FLORIDA.



*Schwabke-Shiskin & Associates, Inc.*

LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025

PHONE No. (954) 435-7010

FAX No. (954) 438-3288

ORDER NO. 192578

DATE: JULY 2, 2009

THIS IS NOT A "BOUNDARY SURVEY"

CERTIFICATE OF AUTHORIZATION No. LB-87

MARK STEVEN JOHNSON

FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

**EXHIBIT M**  
**POTABLE / NON-POTABLE WATER DEMAND**  
**PROJECTED CUMULATIVE CHANGE**

Type of Land Use	Unit	Potable Water Generation Rate <sup>1</sup>	Original Plan (1985)		Demand (MGD) (1985)		Currently Approved Plan (2001)		Demand (MGD) (2001)		Proposed Plan (2010)		Demand (MGD) (2010)		Cumulative Change Demand (1985 to 2010)		Total
			W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	
Residential Single Family Multifamily	DU	350 gpd/DU	2,166	1,798	0.76	0.63	2,310	143	0.81	0.05	2,310	139	0.81	0.05	0.05	(0.58)	(0.53)
	DU	250 gpd/DU	7,173	3,328	1.79	0.83	7,129	300	1.78	0.08	7,129	300	1.78	0.08	(0.01)	(0.76)	(0.77)
Open Space <sup>2</sup>	unit	Not applicable	79.66	5.00	-	-	44.87	555.40	-	-	44.87	555.40	-	-	-	-	-
Private Recreation <sup>3</sup>	Ac	5 gdp/person	2.21	1.45	0.00	0.00	2.21	0.00	0.00	0.00	2.21	0.00	0.00	0.00	0.00	(0.00)	(0.00)
Community Park <sup>3</sup>	Ac	5 gdp/person	0.00	186.30	0.00	0.00	47.77	42.98	0.00	0.00	47.77	42.98	0.00	0.00	0.00	(0.00)	(0.00)
Golf Course <sup>3</sup>	Ac	5 gdp/person	150.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	0.00	0.00	0.00
School <sup>4</sup>	Students	20 gpd/student	3,032	2,068	0.06	0.04	3,032	0	0.06	0.00	3,032	0	0.06	0.00	0.00	(0.04)	(0.04)
Public Service	Ac	10 gpd/100 sq.ft.	6.53	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(0.03)	0.00	(0.03)
Hospital	Beds	250 gpd/bed	127	0	0.03	0.00	127	0	0.03	0.00	127	0	0.03	0.00	0.00	0.00	0.00
Commercial	Ac	5 gpd/100 sq.ft.	87.71	15.31	0.19	0.03	97.95	9.57	0.21	0.02	97.95	9.57	0.21	0.02	0.02	(0.01)	0.01
Office	Ac	10 gpd/100 sq.ft.	13.82	0.00	0.06	0.00	14.50	0.00	0.06	0.00	14.50	0.00	0.06	0.00	0.00	0.00	0.00
Industrial	Ac	20 gpd/1,000 sq.ft.	0.00	270.00	0.00	0.24	0.00	275.10	0.00	0.24	0.00	275.10	0.00	0.24	0.00	0.00	0.00
Hotel	Room	100 gpd/room	0	0	0	0	400	0	0	0	400	0	0.04	0.00	0.04	0.00	0.04
Baseball Facility	Seats	3 gpd/seat	0	0	0	0	0	6,500	0	0	0	6,500	0	0.02	0.00	0.02	0.02
Motorsport Facility	Seats	3 gpd/seat	0	0	0	0	0	9,500	0	0	0	79,612	0	0.24	0.00	0.24	0.24
<b>TOTAL<sup>4</sup></b>					<b>2.93</b>	<b>1.77</b>			<b>3.00</b>	<b>0.43</b>			<b>3.00</b>	<b>0.64</b>	<b>0.08</b>	<b>(1.13)</b>	<b>(1.05)<sup>4</sup></b>

<sup>1</sup> Source: Miami-Dade Water and Sewer Department Schedule of Daily Rated Gallonage for Various Occupancy

<sup>2</sup> Open space are passive lands and used for conservation, preservation and mitigation purposes.

<sup>3</sup> Calculated at 3 person/acre

<sup>4</sup> In the event that schools are introduced east of SW 152 Avenue, the 2010 Demand (MGD) for that use would increase, and would thus result in a reduction in the total Cumulative Change Demand (MGD) from 1985 to 2010.

**EXHIBIT N  
SANITARY SEWER DEMAND  
PROJECTED CUMULATIVE CHANGE**

Type of Land Use	Unit	Potable Water Generation Rate <sup>1</sup>	Original Plan (1985)		Demand (MGD) (1985)		Currently Approved Plan (2001)		Demand (MGD) (2001)		Proposed Plan (2010)		Demand (MGD) (2010)		Cumulative Change Demand (MGD) (1985 to 2010)		Total
			W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152			
Residential Single Family Multifamily	DU	350 gpd/DU	2,166	1,798	0.76	0.63	2,310	143	0.81	0.05	2,310	139	0.81	0.05	0.05	(0.58)	(0.53)
	DU	250 gpd/DU	7,173	3,328	1.79	0.83	7,129	300	1.78	0.08	7,129	300	1.78	0.08	0.08	(0.76)	(0.77)
Open Space <sup>2</sup>	unit	Not applicable	79.66	5.00	-	-	44.87	555.40	-	-	44.87	555.40	-	-	-	-	-
Private Recreation <sup>3</sup>	Ac	5 gdp/person	2.21	1.45	0.00	0.00	2.21	0.00	0.00	0.00	2.21	0.00	0.00	0.00	0.00	(0.00)	(0.00)
Community Park <sup>3</sup>	Ac	5 gdp/person	0.00	186.30	0.00	0.00	47.77	42.98	0.00	0.00	47.77	42.98	0.00	0.00	0.00	(0.00)	(0.00)
Golf Course <sup>3</sup>	Ac	5 gdp/person	150.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	150.00	0.00	0.00	0.00	0.00	0.00	0.00
School <sup>4</sup>	Students	20 gpd/student	3032	2068	0.06	0.04	3032	0	0.06	0.00	3032	0	0.06	0.00	0.00	(0.04)	(0.04)
Public Service	Ac	10 gpd/100 sq.ft.	6.53	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(0.03)	0.00	(0.03)
Hospital	Beds	250 gpd/bed	127	0	0.03	0.00	127	0	0.03	0.00	127	0	0.03	0.00	0.00	0.00	0.00
Commercial	Ac	5 gpd/100 sq.ft.	87.71	15.31	0.19	0.03	97.95	9.57	0.21	0.02	97.95	9.57	0.21	0.02	0.02	(0.01)	0.01
Office	Ac	10 gpd/100 sq.ft.	13.82	0.00	0.06	0.00	14.50	0.00	0.06	0.00	14.50	0.00	0.06	0.00	0.00	0.00	0.00
Industrial	Ac	20 gpd/1,000 sq.ft.	0.00	270.00	0.00	0.24	0.00	275.10	0.00	0.24	0.00	275.10	0.00	0.24	0.00	0.00	0.00
Hotel	Room	100 gpd/room	0	0	0	0	400	0	0	0	400	0	0.04	0.00	0.04	0.00	0.04
Baseball Facility	Seats	3 gpd/seat	0	0	0	0	0	6,500	0	0	0	6,500	0	0.02	0.00	0.02	0.02
Motorsport Facility	Seats	3 gpd/seat	0	0	0	0	0	9,500	0	0	0	79,612	0	0.24	0.00	0.24	0.24
TOTAL <sup>4</sup>					2.93	1.77			3.00	0.43			3.00	0.64	0.08	(1.13)	(1.05)

<sup>1</sup> Source: Miami-Dade Water and Sewer Department Schedule of Daily Rated Gallonage for Various Occupancy

<sup>2</sup> Open space are passive lands and used for conservation, preservation and mitigation purposes.

<sup>3</sup> Calculated at 3 person/acre

<sup>4</sup> In the event that schools are introduced east of SW 152 Avenue, the 2010 Demand (MGD) for that use would increase, and would thus result in a reduction in the total Cumulative Change Demand (MGD) from 1985 to 2010.

**EXHIBIT O**  
**SOLID WASTE GENERATION**  
**PROJECTED CUMULATIVE SOLID WASTE GENERATION CHANGE**

Type of Land Use	Unit	Potable Water Generation Rate <sup>1</sup> (per day)	Original Plan (1985)		Solid Waste Generation (TPD) (1985)		Currently Approved Plan (2001)		Solid Waste Generation (TPD) (2001)		Proposed Plan (2010)		Solid Waste Generation (TPD) (2010)		Cumulative Generation Change (Tons Per Day) (1985 to 2010)		Total
			W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	W of 152	E of 152	
Residential																	
Single Family	DU	6.05 lbs/DU	1,692	2,272	5	7	2,310	143	7	0	1,182	139	4	0	(1.54)	(6.45)	(8.00)
Multifamily	DU	3.91 lbs/DU	7,647	2,854	15	6	7,129	300	14	1	8,257	300	16	1	1.19	(4.99)	(3.80)
Open Space	Ac	Not applicable	79.66	5.00	-	-	44.87	555.40	-	-	44.87	555.40	-	-	-	-	-
Private Recreation	Ac	1.12 lbs/sq.ft.	2.21	1.45	54	35	2.21	0.00	54	0	2.21	0.00	54	0	0.00	(35.37)	(35.37)
Community Park	Ac	1.12 lbs/sq.ft.	0.00	186.30	0	4,545	47.77	42.98	1,165	1,048	47.77	42.98	1,165	1,048	1,165.35	(3,496.28)	(2,330.94)
Golf Course	Ac	1.12 lbs/sq.ft.	150.00	0.00	3,659	0	150.00	0.00	3,659	0	150.00	0.00	3,659	0	0.00	0.00	0.00
School <sup>3</sup>	Ac	7.68 lbs/sq.ft.	58.34	40.00	9,759	6,691	3032	0	507,192	0	58.34	0.00	9,759	0	0.00	(6,691.18)	(6,691.18)
Public Service	Ac	1.12 lbs/sq.ft.	6.53	0.00	159	0	0.00	0.00	0	0	0.00	0.00	0	0	(159.30)	0.00	(159.30)
Hospital	Ac	3.62 lbs/sq.ft.	13.00	0.00	1,025	0	127	0	10,014	0	13.00	0.00	1,025	0	0.00	0.00	0.00
Commercial	Ac	7.47 lbs/sq.ft.	87.71	15.31	14,271	2,491	97.95	9.57	15,937	1,557	97.95	9.57	15,937	1,557	1666.10	(933.93)	732.17
Office	Ac	2.52 lbs/sq.ft.	13.82	0.00	759	0	14.50	0.00	796	0	14.50	0.00	796	0	37.32	0.00	37.32
Industrial	Ac	4.58 lbs/sq.ft.	0.00	270.00	0	26,935	0.00	275.10	0	27,443	0.00	275.10	0	27,443	0.00	508.77	508.77
Hotel	Ac	4.28 lbs/sq.ft.	0.00	0.00	0	0	400	0	37,289	0	11.21	0.00	1,045	0	1045.04	0.00	1,045.04
Baseball Facility	Seats	2.08 lbs/seat	0.00	0.00	0	0	0	6,500	0	7	0	6,500	0	7	0.00	6.76	6.76
Motorsport Facility		2.08 lbs/seat	0.00	0.00	0	0	0	9,500	0	10	0	79,612	0	83			
<b>TOTAL<sup>3</sup></b>					<b>29,706</b>	<b>40,709</b>			<b>576,127</b>	<b>30,067</b>			<b>33,460</b>	<b>30,140</b>	<b>3,754.16</b>	<b>(10,652.69)</b>	<b>(6,898.53)</b>

<sup>1</sup> Source: Solid Waste Authority of Palm Beach County 1997 Residential Generation Study and 1995 Commercial Generation Study

<sup>2</sup> Open space are passive lands and used for conservation, preservation and mitigation purposes.

<sup>3</sup> In the event that schools are introduced east of SW 152 Avenue, the 2010 Demand (MGD) for that use would increase, and would thus result in a reduction in the total Cumulative Change Demand (MGD) from 1985 to 2010.

The following conversion rates were used:

- 1 cubic foot = 9 lbs of waste
- 1 cubic yard = 27 cubic feet
- 1 cubic yard = 9 lbs times 27 cubic feet = 243 lbs
- 1 ton = 2,000 lbs = 8.23 cubic yards



**EXHIBIT P**  
**LETTER OF CAPACITY**



January 19, 2010

*City Council*

Steven C. Bateman  
*Mayor*

Judy Waldman  
*Vice Mayor*

Jon Burgess  
*Councilman*

Wendy Lobos  
*Councilwoman*

Elvis R. Maldonado  
*Councilman*

Stephen R. Shelley  
*Councilman*

Jimmie L. Williams, III  
*Councilman*

Sergio Purrinos  
*Acting City Manager*

*City Hall*

790 N. Homestead Blvd.  
Homestead, FL 33030  
305-224-4400  
[www.cityofhomestead.com](http://www.cityofhomestead.com)

Hernando J. Navas, P.E.  
Executive Vice President  
**Schwebke-Shiskin & Associates, Inc.**  
3240 Corporate Way  
Miramar, Florida 33025

**RE: Homestead-Miami Speedway  
Notification of Proposed Change to Villages of Homestead DRI**

Dear Mr. Navas:

The purpose of this letter is to inform you that the City of Homestead (the "City") has potable water and sanitary sewer capacity to serve the proposed expansion of the Homestead-Miami Speedway.

We understand the proposed expansion to the Homestead-Miami Speedway increases the number of seats from 67,612 spectator seats to 79,612 spectator seats. We also understand ancillary uses will be shifted to better serve the spectators.

The City provides potable water and sanitary sewer to the Homestead-Miami Speedway including the existing 67,612 spectator seats and ancillary facilities. The City has potable water and sanitary sewer capacity to serve the proposed 12,000 seat expansion of the Homestead-Miami Speedway.

Please call me with any questions regarding this matter.

Sincerely,

  
Julio A. Brea, P.E.  
Director of Engineering & Environmental Services Dept.  
City of Homestead